

BRITISH AMERICAN SECURITY INFORMATION COUNCIL

# **BASIC SPECIAL REPORT**

**Unravelling the Known Unknowns:**

**Why no Weapons of Mass  
Destruction have been found in Iraq**

**By David Isenberg and Ian Davis  
BASIC Special Report 2004.1  
January 2004**

## **The British American Security Information Council**

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### ***Unravelling the Known Unknowns: Why no Weapons of Mass Destruction have been found in Iraq***

By David Isenberg and Ian Davis

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# Executive Summary

## Introduction

In April 2003, BASIC published a *Special Briefing* to review the evidence of Iraq's possession of weapons of mass destruction (WMD), code for nuclear, biological and chemical (NBC) weapons. We provisionally concluded that Iraq's possession of NBC weapons was likely to be nowhere near as extensive as US and UK officials claimed before going to war. On the eve of the publication of the Hutton inquiry report into the circumstances surrounding the death of UK government scientist David Kelly, this BASIC Report provides a timely update and summary of the evidence that has been accumulated by the US inspectors in Iraq and from other public sources over the past eight months.

***The conclusion is inescapable: there is nothing to be found. This means that President Bush and Prime Minister Blair made a WMD mountain out of what, at best, was a molehill. As a recent detailed report from the Carnegie Endowment for International Peace concludes, "Administration officials systematically misrepresented the threat from Iraq's WMD and ballistic missile programs."***

Why did the US and UK governments exaggerate the threat? Or were they themselves misled by available pre-war intelligence on Iraq's WMD capability?

Part I reviews the pre- and post-war evidence of Iraq's WMD capability, and specifically identifies five examples of ways in which US and UK authorities got it wrong.

Part II reviews the flaws and ambiguities in both US and British pre-war intelligence analysis on Iraq's WMD capability, with particular reference to the use of Iraqi defectors and other misleading "indigenous" human intelligence.

Part III draws some conclusions and makes some recommendations. ***The main conclusion is that the failure to find banned weapons in Iraq suggests very strongly that the UN weapons inspectors succeeded in their mandate, and that the Iraqi government complied with its obligations.***

## Iraq's WMD Capability

There is no doubt that Iraqi armed forces had chemical and biological weapons and in the past tried to produce nuclear weapons. The seven plus years of UN inspections after the 1991 Gulf War clearly established the existence of weapons programs in all three areas. But it was also well known that Iraq's NBC programs suffered significant disruptions and setbacks as a result of the 1991 war. And contrary to many public statements by British and American officials and political leaders, UN inspectors had made progress in narrowing down the uncertainties.

### Nuclear weapon capability

At the time of the first Gulf War in 1991, Iraq was thought to be only a few years away from producing enough highly-enriched uranium for a nuclear weapon.

International Atomic Energy Agency (IAEA) inspectors later supervised the destruction of most of the nuclear weapon program facilities and removed all weapons-grade material from Iraq. In its January 2003 report to the UN Security Council, for example, the IAEA clearly indicated that there was no evidence that Iraq was producing nuclear weapons.

However, rumours persisted that Iraq may have secretly reconstructed some nuclear capabilities. These rumours were fueled in particular by two false allegations from British and US officials. First, that Iraq was trying to procure uranium from Niger, and second, that Iraq was trying to procure aluminium tubes for use as part of centrifuges to enrich uranium to weapons grade level.

***What we now know is that the CIA's failure to pass on the details of what it knew helped keep the uranium-purchase story alive until shortly before the war in Iraq began, when the UN's chief nuclear inspector told the Security Council that the documents were forgeries. It also seems clear that US and British intelligence agencies concealed information from each other and reached contradictory conclusions about the disputed claims.***

### **Biological weapon capability**

At the beginning of the 1990s, Iraq's biological weapons program included a broad and growing range of agents and delivery systems. UN Special Commission (UNSCOM) repeatedly reported that Iraq had failed to provide a full and correct account of its biological weapons program and UN Monitoring, Verification and Inspection Commission (UNMOVIC) later expressed a number of specific concerns. Both the US and UK authorities made wide-ranging pre-war claims about these "unaccounted for" stockpiles of biological weapons, as well as the likelihood of an extensive network of covert research and production facilities. Evidence that many of these agents have short shelf lives was ignored.

Post-war evidence to verify such claims is extremely weak, and centres on two mobile trailers found in northern Iraq (which it is now known were to produce hydrogen for artillery balloons), a vial of botulinum and some speculative findings regarding possible research facilities for other agents.

### **Chemical weapon capability**

During the 1980s, Iraq developed one of the most extensive chemical weapons capabilities in the developing world, producing over 200,000 chemical weapon munitions (half of which were used during the war with Iran). After the first Gulf War, UNSCOM destroyed more than 480,000 litres of chemical agents and 1.8 million litres of chemical precursors in Iraq. However, rough estimates by UNMOVIC concluded that Iraq may have retained 80 tonnes of mustard gas, unknown quantities of weaponized VX nerve agent, and stocks of tabun, sarin and cyclosarin. Again, US and UK authorities made much of the thousands of possible chemical munitions unaccounted for in their pre-war assessments.

Despite searches at a number of suspected sites, no active chemical weapons have been found. Instead, it seems almost certain that most stocks were destroyed by

inspectors in the mid-1990s and that any remaining weapons have deteriorated beyond effective use.

*It is obvious that pre-war descriptions of the threat diverge significantly from what has actually been discovered in the nine months since the war. For example, when Secretary of State Colin Powell's report to the UN Security Council is compared to David Kay's interim report, no single clear and unambiguous confirmation of any of the former's claims can be found in the latter.*

## **The Ambiguities and Flaws in US and British Pre-War Intelligence Analysis on Iraq's WMD Capability**

Intelligence analysis has been described as an art as well as a science. Formulation of judgments can be a delicate and complex process, especially when it comes to science and technology issues. However, there are numerous examples in which the intelligence collection process inexplicably ignored, downplayed or exaggerated pre-war information on Iraq's WMD capability.

### **US Pre-War Intelligence**

Neither the released portions of the US National Intelligence Assessment (NIE) nor the full report substantiate the administration's view that Iraq represented an immediate threat to the US or the region. It contained no photographs of weapons sites, no substantiation of many allegations, no "proof" that would be of use to inspectors. Why was the NIE so inaccurate, and so selectively quoted by the Bush administration?

The misuse of intelligence does not fall solely within the realm of the executive branch. The legislative branch chose to look the other way and not ask tough questions. That being said, the Bush administration clearly ignored evidence that conflicted with its view that Iraq had NBC weaponry. One tactic was to bypass the government's customary procedures for vetting intelligence. The Pentagon also set up an Office of Special Plans (OSP), conceived by Paul Wolfowitz, Deputy Secretary of Defense, to find evidence of illicit weapons and links to Al Qaeda. In addition, a separate, unnamed Pentagon intelligence unit operated out of the office of Douglas J. Feith, Undersecretary of Defense for Policy and a former aide to Richard Perle at the Pentagon in the 1980s. The purpose of the unit was also to scour reports from the CIA, the Defense Intelligence Agency, the National Security Agency, and other agencies to find nuggets of information linking Iraq, Al Qaeda, terrorism, and the existence of Iraqi WMD.

### **British Pre-War Intelligence**

Similar flaws can be found in the British intelligence assessment process, especially in relation to the dossier released on September 24, 2002. Public evidence to the Hutton inquiry has already revealed a number of discrepancies in the role of the intelligence agencies, while documentary evidence provided to the inquiry has also demonstrated that senior figures inside Downing Street knew the evidence about Iraqi WMD was weak. An e-mail sent to John Scarlett, chairman of the Joint Intelligence Committee, from Jonathan Powell, Blair's chief of staff, shortly before the dossier was published, said, "The document does nothing to demonstrate a threat, let alone an imminent threat, from Saddam. . . . We will need to make it clear in launching the document that we do not

claim that we have evidence that he is an imminent threat." But this is exactly what the final version of the dossier claimed.

Aside from the misuse of intelligence, it appears that the British government also resorted to outright propaganda. In late December 2003 the British government confirmed that MI6 had run an operation to gain public support for sanctions and the use of military force in Iraq. It had organised Operation Mass Appeal, a campaign to plant stories in the media about Saddam Hussein's WMD.

### **Iraqi defectors and other misleading indigenous human intelligence**

Information from Iraqi defectors was of dubious value. Officials in Washington have confirmed that former Iraqi officials who had defected and were handed over to the CIA by the Iraqi National Congress (INC) provided them with information on Iraq's WMD program. Other intercepted intelligence appears to have been manipulated to exaggerate the case against the Iraqi regime.

After the fall of Baghdad, it was expected that captured Iraqi scientists would lead coalition forces to hidden caches of unconventional weapons. However, Iraqi scientists and technicians who have been detained say that Iraq destroyed all of its banned munitions years ago, and nothing more was produced.

The intelligence and political discrepancies described above are matters of great consequence, not only regarding the decision to go to war, but as regards the handling of current and future proliferation crises. Although the complete picture has yet to emerge, enough is now known to present some partial conclusions and recommendations for future US and UK non-proliferation policies and practices.

## **Conclusions and Recommendations**

There are four potential explanations for the failure to find banned weapons in Iraq:

- the weapons were destroyed or moved out of Iraq prior to invasion;
- the weapons were destroyed in coalition bombing or subsequent looting;
- the weapons exist but have not yet been found; or
- the weapons were destroyed even earlier, perhaps in the early or mid-1990s (i.e. the UN weapons inspectors succeeded in their mandate).

### **Were the missing weapons destroyed or moved out of Iraq prior to the invasion?**

This is an unlikely explanation for the general failure to find illicit weapons that had been identified so confidently prior to the war. The logistical problems of transporting or destroying large stocks of chemical and biological weapons just days before the US-led invasion are likely to have precluded this as a realistic option.

### **Were the weapons destroyed in the bombing campaign or stolen by looters?**

Scores of suspect sites, industrial complexes and offices were stripped of valuable documents and equipment. Again, although it is very possible that much evidence for Chemical and Biological Weapons (CBW) would be degraded by looting or military action, it could not possibly be the case that all conclusive evidence would be destroyed.

### **Isn't it a question of needing more time to find the weapons?**

Tony Blair and some US inspectors are continuing to argue that more time is needed, and Pentagon officials have said that the search process could take up to a year to complete. That is rather ironic, considering that UNMOVIC said before the war began that it could wrap up inspections in a few months.

The Prime Minister has even hinted that some of the evidence has already been accumulated. In a television interview at a Russia-European Union summit at the end of May 2003, Tony Blair said that he had already seen plenty of information that his critics had not, but would in due course. ***If Downing Street has as yet unpublished evidence of Iraqi WMD, as claimed by the Prime Minister at the end of May 2003, this should be published without delay.***

The US administration, on the other hand, is now emphasizing the need to find a paper trail and testimony that points to the Hussein regime's capability and intent to develop NBC weapons, as opposed to a readily usable stockpile of weapons. This new rationale was cited again in the President's January 20, 2004 State of the Union address.

US officials continue to argue that they were right to assume, based on older evidence and more recent circumstantial material, that Iraq was maintaining its unconventional weapons programs. But developing weapons is not the same as possessing weapons. Bush and his advisers did not argue that the US was compelled to go to war - rather than support more intrusive inspections - because Hussein had ongoing weapons programs; they claimed the US had to invade because it was imminently threatened by actual weapons.

***The suggestions that Iraq may have concentrated on dual-use programs in recent years - putting chemical and biological production equipment within commercial facilities so that it would not be discovered but could be used "on demand" or "just in time" - seem plausible enough, but are hardly the imminent threat to the US, UK and the rest of the world that justified the decision to go to war.***

### **Were the missing weapons destroyed many years ago?**

Claims that Iraq destroyed all of its illicit chemical and biological weapons in the 1990s - an explanation that failed to convince the UN inspectors and British and American intelligence officials prior to the invasion - are now being given greater credence. It is increasingly likely that Iraqi officials were telling the truth. Iraqi Brig. Gen. Alaa Saeed, one of Iraq's most senior weapons scientists, insisted that the combined blitz of allied bombing and intense UN inspections in the 1990s effectively destroyed Hussein's chemical, biological and nuclear programs. UN sanctions, he said, stopped Baghdad from importing the raw materials, equipment and spare parts needed to secretly reconstitute the illegal programs, even after UN inspectors left the country in 1998.



The recent report by the US think tank, The Carnegie Endowment for International Peace, also found that the international inspections effort generally had it right. And according to Demetrius Perricos, acting chairman of the UNMOVIC since Hans Blix's retirement, most of the weapons-related equipment and research that has been publicly documented by the US-led inspection team in Iraq was known to the UN before the US-led invasion.

### **Was the Iraqi WMD threat overstated by Britain and the United States?**

Despite unparalleled searching, nothing has turned up and the evidence is overwhelming that Iraq did not have banned weapons at the time that the US and Britain invaded Iraq. The brutality of Saddam Hussein's regime was not an adequate justification for war, and the US and British authorities did not seriously try to make it one until long after the war began and all the false justifications began to fall apart. Clearly, therefore, the statements made by officials immediately before the war that suggested a far more advanced and extensive program need to be reassessed.

However, final conclusions as to whether the primary fault lies with US and British intelligence on Iraq's WMD program, or with the part played by senior figures in the US and British administrations in interpreting and disseminating that evidence, will need to be deferred until further information becomes available. The case against President Bush already seems pretty clear cut, especially given the recent testimony by former Treasury secretary Paul H. O'Neill that the debate over military action against Iraq began as soon as the President took office.

### **What are the implications of these intelligence and political failings and what are the policy lessons for future challenges involving suspected WMD proliferation?**

#### *Acknowledge past mistakes*

Tony Blair and George Bush must acknowledge that they were wrong about Iraq's WMD and show that they are taking sweeping action to rectify the concerns that led to this miscalculation. There must also be sufficient political space for political leaders to acknowledge their mistakes. One of the most corrupting aspects of politics in both the US and UK is the continuing search for hidden agendas, and the lack of trust that is afforded to politicians.

#### *Learn the right lessons*

Despite the continuing instability in Iraq and Afghanistan, both interventions are being lauded by US and British administration officials as political and military successes. The hard line stance is said to be improving the security situation in other parts of the world. Such claims are wildly overstated and mean that important lessons are lost. For example, Libya's welcome return back into the international community lies in the patient diplomatic initiative set in motion long before President Bush began his pursuit of Saddam. The invasion of Iraq appears to have exacerbated the terrorist threat, reversed peace and democracy in parts of the Middle East and undermined the transatlantic alliance, the UN and international law.

### *Review the role of intelligence*

The demands on intelligence gathering and assessment are enormous and the consequences of getting it wrong can be dire. One of the issues that undoubtedly affected intelligence assessments in Iraq was the prior failure of US and British intelligence to spot the strategic ambitions of Al Qaeda, and the attack on 9/11 in particular. The picture that was painted by the US and British intelligence agencies, especially after political pressure was brought to bear, clearly involved “worst case” thinking.

The failure to find any banned weapons means that it will be harder to trust intelligence reports about North Korean, Iranian or other “rogue state” threats. Already, in the crisis over North Korea’s nuclear ambitions, China has rejected US intelligence that North Korea has a secret program to enrich uranium for use in weapons.

Threats to our security – such as those from NBC proliferation and catastrophic forms of terrorism – are now much more diffuse and debatable. Since most of these threats are developed in secret, there is a strong case for maintaining secret specific intelligence on them. This is not only to provide early warning, but to open up the possibilities for diplomatic and other policy responses short of military action. But it is vital that future non-proliferation and counter-proliferation strategies are based on carefully collected and analysed open evidence rather than on prejudice or political expediency.

There will always be a requirement to turn “raw” intelligence data into a document or information for public consumption, and in one sense all intelligence assessments are doctored to some extent for public consumption. It is also self-evident that in editing and shaping raw intelligence data there will be a tendency to present the case in the best possible light for the government of the day. In the case of Iraq, the requirement to persuade clearly took precedence over the requirement to be objective. In future, therefore, public information that draws on intelligence data should have more health warnings and should clearly set out the context for and motives behind publication.

### *Bring the spooks out of the shadows*

In Britain at least, the intelligence agencies need greater visibility and accountability. If the existing Intelligence and Security Committee is not up to this task, then a new small oversight committee should be established to vet the procedures of intelligence gathering and assessment, and to be responsible for publication of unclassified intelligence reports and related materials. It will also be important to explore new ways of sharing the raw intelligence data with a broader cross-section of MPs.

Politicians also need more detail in order to judge appropriate policy responses. They particularly need more context as to why something is going on. In the UK at present, almost all policy – as evidenced by the most recent Defence, Foreign and Development White Papers – assumes an established nexus between WMD proliferation, state failure and terrorism. However, all the available evidence suggests that most “states of concern” are actually diminishing their active support for terrorism, perhaps partly in response to the threat of US military force. Only Sudan and the former Taliban regime in Afghanistan are known to have materially aided Al Qaeda. In terms of transferring WMD materials to non-state actors, the biggest risk lies in theft or diversion of the huge stockpiles in the existing nuclear states.

### *Re-examine the doctrine of pre-emption*

Over reliance on intelligence makes the doctrine of pre-emption a flawed and dangerous instrument of foreign policy. Greater caution has to be exercised in thinking around pre-emptive warfare, and better thinking is needed about its consequences.

Moreover, if pre-emption became widely acceptable, it could lead to other countries fearing an assault attacking their rivals first, pre-empting the pre-emptor and escalating a conflict that might have been resolved without force. Or a nation under a sudden attack might choose to deploy chemical, biological or nuclear weapons it otherwise might not use. The very act of one country pre-emptively attacking another carries troubling echoes of vigilante justice when much of the world is working toward common understandings about the legal use of force.

### *Return UN Inspectors to Iraq*

International inspections and monitoring actually worked effectively in Iraq. The return of the UN inspectors would confer some much needed legitimacy to the post-conflict search for weapons, and also help to re-engage the wider international community in the reconstruction of a post-Saddam Iraq. UNMOVIC should also be given the task of on-going monitoring in Iraq once the 'coalition' military forces have left.

### *Create a permanent international cadre of inspectors*

The British and US governments should also put their weight behind establishing a broader mandate within UNMOVIC as suggested by Hans Blix. Over the years, UNMOVIC has acquired much experience in the verification and inspection of biological weapons and missiles as well as chemical weapons, but only in Iraq. It has scientific cadres that are trained and could be mobilized to provide the Security Council and other concerned actors with a capability for ad hoc inspections and monitoring, elsewhere.

### *Support multilateral and international law-based solutions to WMD proliferation*

Non-proliferation and arms control remain essential elements in the fight against the further proliferation of WMD. International arms control regimes must, however, be reinforced and adapted to current developments, both technological and political. We have reached a pivotal moment in inter-state relations with a real opportunity to shape a new world order based on the rule of law. The US and UK should be working to write those rules and get them implemented. Sometimes it will be necessary to take direct action, including in extreme circumstances military action, to stop the rules being broken. But such action should only be undertaken within the rules of international law, and preferably, with the authorisation of the UN Security Council.

### *Think about WMD closer to home*

WMD threat reduction should begin at home. It is not just a 'rogue' state problem. Existing nuclear-armed states (including the US and UK) should reaffirm their intention to implement the 13 disarmament steps agreed to in 2000 under the Nuclear Non-Proliferation Treaty (NPT). The US Senate's decision in May 2003 to at least partially rescind a ten-year ban on funding research and development of new 'low-yield' nuclear weapons was unnecessary and destabilising. Efforts to expand threat reduction programmes, such as the G-8 Global Partnership Against Weapons of Mass Destruction, and principles to new regions and countries, such as North Korea, the Middle East and South Asia also need to be urgently explored.

## Introduction

“As we know, there are known knowns. There are things we know we know. We also know there are known unknowns. That is to say, we know there are some things we do not know. But there are also unknown unknowns, the ones we don’t know we don’t know.”

US Secretary of Defense, Donald Rumsfeld, February 12, 2002, Department of Defense news briefing

At the end of April last year, BASIC published a *Special Briefing* to review the evidence of Iraq’s possession of weapons of mass destruction (WMD), code for nuclear, biological and chemical (NBC) weapons.<sup>1</sup> At that time, we reviewed:

- a) the evidence of Iraqi possession of chemical and biological weapons as uncovered by the UN inspectors prior to their withdrawal;
- b) the evidence uncovered during the subsequent military ‘liberation’ of Iraq; and
- c) the evidence accumulated following the fall of the Saddam regime.

We provisionally concluded that Iraq’s possession of NBC weapons was likely to be nowhere near as extensive as US and UK officials claimed before going to war. More than eight months later, we now know with almost total certainty that there were no such weapons and only stunted research programs that had been inhibited by UN inspectors and sanctions. In short, Iraq was not the imminent threat we were told it to be.

Since the end of major combat operations on May 1, the United States and other coalition forces have been looking hard for signs of the NBC weapons that Iraq was alleged to have, or at least, for the research and development programs that would allow such weapons to be produced at short notice.<sup>2</sup> The forces formed their own special units and claimed that these were far more effective than the often unfairly criticized UN inspectors, even though the US inspectors used many of the same techniques.<sup>3</sup>

In fact, at least initially, the US search units suffered from disorganization, interagency feuds, disputes within and among various military units, and equipment shortages.<sup>4</sup> They also failed to prioritise sites containing critical information, such as the state-owned al-Fattah company in Baghdad, which designed all the rockets fired by Iraqi troops in 1991 and in 2003.<sup>5</sup>

When they eventually got up to speed, the US inspectors searched in vain, turning up items like vacuum cleaners as opposed to VX nerve gas.<sup>6</sup> And when nothing significant was found, they looked instead for signs at least that Iraq had been striving to maintain NBC research and development programs in order to produce such weapons in short order.<sup>7</sup>

Recently though, it appears that the US administration has abandoned the search and tacitly acknowledges that there is nothing to find. The signs are as follows:

- a) With little else to show for months of effort, the Pentagon recently began reassigning Arabic translators and intelligence analysts from the weapons search to other, more pressing needs, such as the fight against Iraqi insurgents;
- b) Some of the Energy Department's top nuclear-weapons experts, detailed to the Iraq Survey Group (ISG), the US group leading the search, over the summer, have come home.
- c) Most recently the Bush administration has withdrawn from Iraq a 400-member military team whose job was to scour the country for military equipment.<sup>8</sup>
- d) Except for a handful of Iraqi scientists who worked on biological agents in the mid-1990s, many former Iraqi weapons experts held by the US have been released.<sup>9</sup>
- e) According to recent news reports, David Kay, the head of the ISG, is considering stepping down in the next few months - before the group he leads completes its search and issues a final report.<sup>10</sup>

Ironically, the recent celebrated capture of Saddam Hussein results, at least in part, from a significant shift in American strategy in November. This shift reassigned intelligence personnel from the WMD search to a reinvigorated manhunt to find the remaining "high-value Iraqi targets" - the former regime leaders. The ISG was key to that effort.<sup>11</sup>

***The conclusion is inescapable: there is nothing to be found. This means that President Bush and Prime Minister Blair made a WMD mountain out of what, at best, was a molehill. As a recent detailed report from the Carnegie Endowment for International Peace concludes, "Administration officials systematically misrepresented the threat from Iraq's WMD and ballistic missile programs."***<sup>12</sup>

Such misrepresentation should be astonishing. For the existence of such weapons was the primary rationale for invading Iraq. (For a reminder of the *causis belli* advanced by leading American politicians prior to the war, see Appendix 1.<sup>13</sup>) Yet the public and the media have become so inured to official misrepresentation, to use the most charitable term, that few will be astonished by the Carnegie report.

In fact, Washington has begun distance itself publicly from the principal, official justification that Saddam's WMD posed a threat (to the region, the US and Britain). However, Tony Blair has continued to claim that "massive evidence" of illegal Iraqi weapons activity has been uncovered.<sup>14</sup> This assertion, made before Christmas, was even denied at the time by the senior US official in Iraq, Paul Bremer.

On the eve of the publication of the Hutton inquiry report into the circumstances surrounding the death of UK government scientist David Kelly, this BASIC Report provides a timely update and summary of the evidence that has been accumulated by the US inspectors in Iraq and from other public sources over the past eight months. The evidence confirms that US and British forces were led into battle on spurious grounds.

The report also attempts to shed light on the reasons for this: why did the US and UK governments exaggerate? Or did they themselves misunderstand what went before? Were they themselves misled by available pre-war intelligence on Iraq's WMD capability?

The report is structured as follows. Part I reviews the pre- and post-war evidence of Iraq's WMD capability, and specifically identifies examples of ways in which US and UK authorities got it wrong:

- Pre-war: allegations of uranium acquisition from Niger; allegations regarding the purpose of shipments of aluminium tubes; and claims about the scope of chemical weapon stockpiles
- Post-war: allegations about the purpose of mobile trailers found in northern Iraq; and allegations regarding a vial of botulinum and "new" covert BW research.

Part II reviews the flaws and ambiguities in both US and British pre-war intelligence analysis on Iraq's WMD capability, with particular reference to the use of Iraqi defectors and other misleading indigenous human intelligence.

Part III draws some conclusions and makes some recommendations. ***The main conclusion is that the failure to find banned weapons in Iraq suggests very strongly that the UN weapons inspectors succeeded in their mandate, and that the Iraqi government complied with its obligations.*** The key recommendations are:

- Tony Blair and George Bush must acknowledge that they were wrong about Iraq's WMD and show that they are taking sweeping action to rectify the concerns that led to this miscalculation.

- Learn the right lessons: by invading Iraq, which had no WMD, the US and Britain are less able to respond to real WMD proliferation crises.
- Review the role of intelligence: it is vital that future non-proliferation and counter-proliferation strategies are based upon carefully collected and analysed open evidence rather than on prejudice or political expediency.
- Bring the spooks out of the shadows: the intelligence agencies need greater visibility and accountability.
- Re-examine the doctrine of pre-emption: Over reliance on intelligence makes the doctrine of pre-emption a flawed and dangerous instrument of foreign policy.
- Return UN Inspectors to Iraq to confer some much needed legitimacy to the post-conflict search for weapons.
- Create a permanent international cadre of inspectors as suggested by Hans Blix.
- Support multilateral and international law-based solutions to WMD proliferation: We have reached a pivotal moment in inter-state relations with a real opportunity to shape a new world order based on the rule of law.
- WMD threat reduction should begin at home: it is not just a 'rogue' state problem.

## Part I: Iraq's WMD Capability

To set the scene, there is no doubt that Iraqi armed forces have had chemical and biological weapons and have in the past tried to produce nuclear weapons. The seven plus years of UN inspections after the 1991 Gulf War clearly established the existence of weapons programs in all three areas. The world knew as far back as the Iraq-Iran war that Iraq had successfully developed and used chemical weapons. It is also widely known that Iraq used chemical weapons on its own Kurdish population in Halabja in March 1988. And despite Iraq's declaration in 1991 that it did not possess any biological weapons or related items, the United Nations Special Commission (UNSCOM) uncovered a well-developed BW program in 1995.

Yet those same chemical and biological programs also suffered significant disruptions and setbacks as a result of the 1991 war. For example, the subsequent UN inspections regime, UNSCOM, destroyed more than 480,000 litres of chemical agents and 1.8 million litres of chemical precursors in Iraq's arsenal, the vast bulk of the stocks Iraq was said to possess. That, coupled with Saddam Hussein's past refusal to comply with UN Security Council resolutions to disarm, and to obstruct inspections by UNSCOM and its successor, the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), made gauging the scope and extent of Iraq's biological and chemical programs very difficult.

Thus, despite formidable obstacles, and contrary to many public statements by British and American officials and political leaders, UN inspectors had made progress in narrowing down the uncertainties. These uncertainties were compiled by UNMOVIC in a report on "Unresolved Disarmament Issues: Iraq's Proscribed Weapons Programmes", dated March 6, 2002. The report was released the day before Hans Blix, UNMOVIC director, gave his last quarterly report to the Security Council, just 13 days before the start of the war.

This report grouped 100 'unresolved disarmament issues' into 29 clusters, and presented them by category: missiles, munitions, chemical and biological weapons.

As the coalition forces advanced on Baghdad, increasing effort was devoted to locating CB weapons, but to no effect. For example, an entire artillery brigade, typically comprising 3,000-5,000 soldiers, was retrained to secure and examine sites suspected of holding banned weapons. And the Pentagon offered rewards of up to \$200,000 for help in finding Iraqi leaders or chemical, biological or nuclear weapons.<sup>15</sup>

Despite frequent media reports in the immediate aftermath of the fall of Saddam's regime that coalition military forces were finding 'signs' and



'indications' of chemical and biological weapons, these all turned out to be red herrings.

## **Evidence of Iraq's Nuclear Weapon Capability**

Iraq ratified the Non-Proliferation Treaty in 1969, but soon began violating its obligations by secretly pursuing a nuclear weapons program (centred around the Osiraq research reactor financed by France in 1976). Israel's pre-emptive 1981 strike on the reactor simply led to a much more ambitious development program to produce highly enriched uranium. At the time of the first Gulf War in 1991, Iraq was thought to be only a few years away from producing enough highly-enriched uranium for a nuclear weapon.

After the Gulf War, IAEA inspectors supervised the destruction of most of the nuclear weapon program facilities and removed all weapons-grade material from Iraq. In 1998 the IAEA reaffirmed that there were no indications of any clandestine nuclear weapons capability in Iraq, and maintained this view right up to the point at which its inspection teams left Baghdad. In its January 2003 report to the UN Security Council, for example, the IAEA clearly indicated that there was no evidence that Iraq was producing nuclear weapons.

However, rumours persisted that Iraq may have secretly reconstructed some nuclear capabilities. These rumours were fuelled in particular by two false allegations from British and US officials. First, that Iraq was trying to procure uranium from Niger, and second, that Iraq was trying to procure aluminium tubes for use as part of centrifuges to enrich uranium to weapons grade level.

### ***False allegations of uranium acquisition from Niger***

The main part of the US Administration's case for claiming that Iraq was continuing with its intent to acquire nuclear weapons was based on forged documents initially circulated by British intelligence.<sup>16</sup> This was the bogus story that Iraq was attempting to acquire uranium from Niger. President Bush referenced the "evidence" in his State of the Union Message on January 28, 2003:

The International Atomic Energy Agency confirmed in the 1990s that Saddam Hussein had an advanced nuclear weapons development program, had a design for a nuclear weapon and was working on five different methods of enriching uranium for a bomb. The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa.

It is now known that elements of the Bush Administration knew that this claim was bogus almost a full year earlier.<sup>17</sup>

First, the CIA. We know that the CIA had strong doubts as early as March 2002. In June 2003, the agency, facing criticism for its failure to pass on

a key piece of information about this claim, admitted that it had sent a cable to the White House and other government agencies in March 2002 stating that Niger officials had denied its authenticity.<sup>18</sup> But the cable was itself misleading in that it failed to include the conclusions of a former US ambassador, later revealed to be Ambassador Joseph Wilson, who had been sent to Niger in February 2002.

Ambassador Wilson determined that documents purporting to describe the attempted purchase had been forged. Instead, the CIA cable attributed its assessment only to an anonymous source, failing to mention the name of the former ambassador, a known Africa expert, or that the agency had actually sent him to Niger.

Ambassador Wilson subsequently wrote in *The New York Times*: "Based on my experience with the administration in the months leading up to the war, I have little choice but to conclude that some of the intelligence related to Iraq's nuclear weapons program was twisted to exaggerate the Iraqi threat."<sup>19</sup>

Second, the four-star general. Although it has not received as much attention as the report by Ambassador Wilson, Marine Gen. Carlton W. Fulford Jr., a four-star general who was then deputy commander of the US European Command, was asked to go to Niger in 2002 to inquire about the security of Niger's uranium. He said he came away "assured" that the supply of "yellowcake" was kept secure by a French consortium. The findings were passed up to Gen. Richard B. Myers, chairman of the Joint Chiefs of Staff.<sup>20</sup>

A spokesman for Myers subsequently claimed that the general had "no recollection of the information" but did not doubt that it had been forwarded to him. "Given the time frame of 16 months ago, information about Iraq not obtaining uranium from Niger would not have been as pressing as other subjects," said Capt. Frank Thorp, the chairman's spokesman.

Third, the British government. In early September 2002, the CIA informed the UK government that the Niger claims were false. This proved to be an unsuccessful attempt to persuade the UK to drop the reference from an official intelligence paper.<sup>21</sup> However, the British government rejected the US suggestion, saying it had separate intelligence unavailable to the United States. Thus the claim was still included in the British dossier released on September 24, 2002.<sup>22</sup>

According to veteran investigative journalist Seymour Hersh, it is at least possible that the false information about the uranium from Niger was the result of a deliberate British propaganda program: "What is generally agreed upon, a congressional intelligence-committee staff member told me, is that the Niger documents were initially circulated by the British - President Bush said as much in his State of the Union speech - and that '...the Brits placed more stock in them than we did.' Hersh continued: "It is also clear, as the former high-level

intelligence official told me, that "something as bizarre as Niger raises suspicions everywhere."<sup>23</sup>

Although a Parliamentary Committee report released in July 2003 exonerated the Blair government of deliberate distortion to justify invading Iraq, it urged the foreign secretary to come clean as to when British officials were first told that the Iraq-Niger allegation was based on forged documents. The report noted that "...it is very odd indeed" that the British Government has still not come up with any other evidence to support its contention about an Iraq-Niger connection.<sup>24</sup>

Fourth, classified intelligence. Also in the fall 2002, the CIA was coordinating completion of a classified National Intelligence Estimate (NIE) of Iraq's chemical, biological and nuclear weapons programs.<sup>25</sup> The NIE was finally circulated to senior administration officials and to Congress on October 1, 2002.

Although the NIE mentioned alleged Iraqi attempts to buy uranium from three African countries, it warned that State Department analysts were questioning the accuracy of the Niger claims and that CIA personnel considered reports on other African countries to be "sketchy." The summary conclusions about whether Iraq was restarting its nuclear weapons program did not include references to Iraqi attempts to buy uranium in Africa.<sup>26</sup>

Four days after the NIE was issued, CIA Director George J. Tenet is reported to have called a Bush aide and asked that any reference to allegations that Iraq had sought to obtain 500 metric tons of uranium yellowcake in Niger be removed from a speech President Bush was due to give in Cincinnati because it came from only a single source.<sup>27</sup> So why did the allegation end up in the President's State of the Union address?

Evidently, seeking to find a way to include the controversial Iraq-Niger charge in the address, a White House official, National Security Council non-proliferation director Robert Joseph, repeatedly modified the claim just a day or two before the speech, until Alan Foley, director of the CIA's intelligence, non-proliferation and arms control centre, affirmed its accuracy.<sup>28</sup>

The President's Foreign Intelligence Advisory Board (PFIAB), chaired by former national security adviser Brent Scowcroft, has since concluded that the uranium claim was inserted into the Union address because the White House was so anxious "to grab onto something affirmative" about Hussein's nuclear ambitions, and in so doing, disregarded warnings from the intelligence community that the claim was questionable.<sup>29</sup>

***What we now know, therefore, is that the alleged Iraqi effort to buy uranium oxide was used by President Bush and other senior administration officials as a key piece of evidence to support their assertion that Iraq had an ongoing nuclear weapons program. The CIA's failure to pass on the details***

***of what it knew helped keep the uranium-purchase story alive until shortly before the war in Iraq began, when the UN's chief nuclear inspector told the Security Council that the documents were forgeries. It also seems clear that US and British intelligence agencies concealed information from each other and reached contradictory conclusions about the disputed claims.***<sup>30</sup>

The Bush Administration's subsequent handling of the issue also served to compound the confusion. Officials first tried to defend the President's statement by suggesting that it was also backed by some unspecified evidence in addition to the forgeries, a line it subsequently abandoned. Even then it did so grudgingly, only after it had been cornered by Ambassador Wilson's decision to go public.<sup>31</sup>

For example, on July 14, 2003 President Bush defended the "darn good" intelligence he received, continuing to stand behind the allegation. Bush said the CIA's doubts about the charge - that Iraq sought to buy "yellowcake" uranium ore in Africa - were "subsequent" to the January 28 State of the Union speech. But Bush's position was at odds with those of his own aides, who acknowledged that the CIA raised doubts that Iraq sought to buy uranium from Niger more than four months before Bush's speech.<sup>32</sup>

When asked by George Stephanopoulos on national television on June 8, 2003, about the use of false evidence in the President's State of the Union Address, National Security Adviser Condoleezza Rice was at a loss to give a satisfactory explanation.<sup>33</sup>

Other senior members of the Administration had expressed doubts about the claim much earlier. Secretary of State Colin Powell said that by the time he got to a meeting with CIA Director Tenet three nights after the President's January 28 speech, his staff had already dismissed any thought of using the "evidence" in his own speech at the UN a few days later. The intelligence agencies, Mr. Powell said, were "at that point not carrying it as a credible item."

He added: "When I made my presentation to the UN and we really went through every single thing we knew about all of the various issues with respect to weapons of mass destruction, we did not believe that it was appropriate to use that example anymore. It was not standing the test of time. And so I didn't use it, and we haven't used it since."<sup>34</sup>

Later President Bush and Dr. Rice placed the blame for the error on the CIA. The President defended use of the allegation by saying that the January 28 speech "was cleared by the intelligence services", though, in an attempt to have it both ways, senior Administration officials also continued to insist that the phrasing was accurate - even if some of the underlying evidence was unsubstantiated.<sup>35</sup>

Within hours of Bush's comments, CIA Director Tenet accepted full responsibility for allowing the allegations into the January 28 address. He said that the

information "did not rise to the level of certainty which should be required for presidential speeches and the CIA should have ensured that it was removed."

Then, in a prepared statement that had been in the works for two days, Tenet said that the CIA approved the State of the Union speech before it was delivered: "I am responsible for the approval process in my agency." The president had every reason to believe the text presented to him was sound."

However, the CIA director also made it clear that members of the President's National Security Council staff had proposed that questionable information in drafts of the Bush speech be included.<sup>36</sup>

Later, deputy national security adviser Stephen Hadley also accepted blame for allowing faulty intelligence to appear in the State of the Union speech. He took responsibility after revealing that the CIA had sent him two memorandums warning that evidence about Iraqi efforts to obtain uranium in Africa was weak. He told reporters that, while he received the memorandums before the president gave a speech about Iraq in October, he had no memory of the warning three months later when the issue came up again in the State of the Union address.<sup>37</sup>

#### ***False allegations re: the purpose of aluminium tubes shipments***

Another untrue allegation concerned reports that Iraq was trying to procure aluminium tubes from abroad, which the US Administration claimed were to be used as part of centrifuges to enrich uranium to weapons grade level. Thus, Condoleezza Rice told CNN's Wolf Blitzer on September 8, 2002, that: "Saddam Hussein is actively pursuing a nuclear weapon. We do know that there have been shipments into Iraq of aluminium tubes that really are only suited to nuclear weapons programs."<sup>38</sup> And Secretary of State Powell in his presentation to the UN Security Council said, "Saddam Hussein is determined to get his hands on a nuclear bomb. He is so determined that he has made repeated covert attempts to acquire high-specification aluminium tubes from 11 different countries, even after inspections resumed."

But experts within the IAEA and even elements of the US intelligence community disagreed. According to Mohamed El-Baradei, the IAEA director-general, the tubes were consistent with efforts to reverse engineer rockets. Similarly, US experts at the Oak Ridge National Laboratory advised that the tubes were all wrong for a bomb program. These are the scientists who enrich uranium for American nuclear bombs.

Greg Thielmann, a Foreign Service officer for 25 years, also weighed in. Thielmann's last job at the State Department was acting director of the Office of Strategic Proliferation and Military Affairs, responsible for analysing the Iraqi weapons threat for Secretary Powell. He said that the dimensions of the tubes perfectly matched those of a conventional Iraqi rocket.

In an interview on CBS' "60 Minutes" in October 2003, Thielmann confirmed this:

THIELMANN: The aluminum was exactly, I think, what the Iraqis wanted for artillery.

PELLEY: And you sent that word up to the Secretary of State many months before?

THIELMANN: That's right.<sup>39</sup>

Furthermore, a recent extensive analysis released by the Institute for Science in International Security concluded:

Most experts inside and outside governments now believe that the CIA was wrong about the tubes. It is increasingly doubtful that Iraq actually planned to make centrifuges out of aluminium tubes as the CIA claims. Equally doubtful is the more sophisticated argument that Iraq hid a centrifuge program in a rocket procurement program. In addition, the CIA is probably wrong that these tubes are inappropriate for short-range rockets. Such a use is, in fact, their most obvious and appropriate use.

The administration has refused to acknowledge that the tubes that Iraq was trying to order would be used in rockets. By failing to acknowledge this point, they are implying that Iraq sought all the tubes for centrifuges and planned to build over 100,000 centrifuges, a massive program for a country like Iraq. On its face, this claim is preposterous. But uncorrected, this implication leaves the impression among policy makers and the public that Iraq's nuclear weapons was far along and massive.

The CIA and the Bush Administration have implied since last spring that given time they will be proven right. Increasingly, their continued intransigence on this issue looks like an attempt to forestall the inevitable day of reckoning.<sup>40</sup>

As the prospect of Iraq's acquiring nuclear weapons was always the biggest threat, it is worth concluding this section with the post-war views of Kenneth Pollack, a former CIA analyst and Clinton administration National Security Council staffer who supported the war:

The ISG's findings to date are most damning in the nuclear arena—as it happens, [this is] the segment of Iraq's WMD program in which the initial findings are most likely to be correct, because nuclear-weapons production is extremely difficult to conceal. The perceived nuclear threat was always the most disturbing one. The U.S. intelligence community's belief toward the end of the Clinton administration that Iraq had reconstituted its nuclear program and was close to acquiring nuclear weapons led me and other administration officials to support the idea of a full-scale invasion of Iraq, albeit not right away. The [October 2002] NIE's judgment to the same effect was the real linchpin of the Bush administration's case for an invasion.

What we have found in Iraq since the invasion belies that judgment. Saddam did retain basic elements for a nuclear weapons program and the desire to acquire such weapons at some point, but the program itself was dormant. Saddam had not ordered its resumption (although some reports suggest that he considered doing so

in 2002). In all probability Iraq was considerably further from having a nuclear weapon than the five to seven years estimated in the classified version of the NIE.<sup>41</sup>

## **Evidence of Iraq's Biological Weapon Capability**

At the beginning of the 1990s, Iraq's biological weapons program included a broad and growing range of agents and delivery systems. According to UNSCOM reports, Iraq had produced 8,500 litres of anthrax, 20,000 litres of botulinum and 2,200 litres of aflatoxin. Delivery systems under development included aerial bombs, rockets, missiles and spray tanks. At the end of the first Gulf War, it was known that Iraq had begun the large-scale weaponization of biological agents, including more than 160 aerial bombs and 25 warheads for the 600-kilometer-range Al Hussein missiles.

UNSCOM repeatedly reported that Iraq had failed to provide a full and correct account of its biological weapons program and UNMOVIC later expressed specific concerns regarding 10,000 litres of anthrax, 3,000-11,000 litres of botulinum and up to 5,600 litres of clostridium perfringens. However, many of these agents have short shelf lives. In the case of the missing quantities of anthrax, for example, Iraq did not seem to have produced dry, storable anthrax; rather, it appears that only wet anthrax agents (which have a relatively limited shelf life) were deployed.

Nonetheless, both the US and UK authorities made wide-ranging pre-war claims about these "unaccounted for" stockpiles of biological weapons, as well as the likelihood of an extensive network of covert research and production facilities. Post-war evidence to verify these claims is extremely weak, however, and centres on two mobile trailers found in northern Iraq, a vial of botulinum and some speculative findings regarding possible research facilities for other agents.

### ***False allegations about the purpose of mobile trailers***

In his presentation before the UN in February 2003, US Secretary of State Colin Powell said that Iraq had as many as 18 trucks used as mobile facilities for making anthrax and botulinum toxin. But with nothing to distinguish them from ordinary trucks, he said that such mobile trucks were likely to be difficult to find.

In April 2003, however, two mobile trailers were seized in northern Iraq and were the subject of a joint CIA and Defense Intelligence Agency (DIA) report on May 28. This report claimed that the trailers were used for biological weapons agent production, but most analysts have since argued that this assessment is incorrect.<sup>42</sup> David Wise, a veteran chronicler of US government secrecy, noted that:

President Bush startled observers by saying on Polish TV: "We've found the weapons of mass destruction. You know, we found biological laboratories. . . . And

we'll find more weapons as time goes on. But for those who say we haven't found the banned manufacturing devices or banned weapons, they're wrong. We found them."

Bush was referring to two mobile units that the CIA had concluded were designed to manufacture biological substances. But by artfully joining the "manufacturing devices or banned weapons" in one sentence, his comments nicely fuzzed up what he meant by saying, "We found them."<sup>43</sup>

According to a report in *The New York Times*, a classified memo of June 2 from the State Department's Bureau of Intelligence and Research (INR) said that it was too early to conclude that the trailers were evidence that Iraq had a biological weapons program.<sup>44</sup> And it was later revealed that engineering experts from the DIA, one of the co-producers of the joint May report, believed that the most likely use for the trailers found in Iraq was to produce hydrogen for weather balloons rather than to make biological weapons: "The team has decided that in their minds, there could be another use for inefficient hydrogen production, most likely for balloons."<sup>45</sup>

Senator Carl Levin subsequently raised some interesting questions on this point in a letter to CIA Director George Tenet:

If the New York Times article is accurate and the State Department's Bureau of Intelligence and Research issued a report disagreeing with the CIA's conclusion that the trailers were mobile biological warfare agent production plants, why isn't this dissenting view noted on the CIA's website?

If the New York Times article is accurate, do you intend to add a notification of the State Department's dissenting view on your website?

Is the statement in the New York Times article that the C.I.A. and D.I.A. did not consult with other intelligence agencies before issuing the May 28 report accurate? Why would the CIA not seek the views of other members of the Intelligence Community before making public such a report?

Is it standard practice for the CIA to put reports like this on its website? If so, what is the purpose of doing so? If not, why was an exception made in this case and what was the purpose of doing so?<sup>46</sup>

Ironically, at the same time that the Bush Administration rejected Iraqi claims that the seized trailers were designed for making hydrogen for weather balloons, the US Army declared that it has its own fleet of vehicles designed for precisely the same purpose.<sup>47</sup>

An official British investigation into the two trailers also concluded that they were for the production of hydrogen to fill artillery balloons. A British scientist and biological weapons expert who examined the trailers in Iraq told *The Observer*:



They are not mobile germ warfare laboratories. You could not use them for making biological weapons. They do not even look like them. They are exactly what the Iraqis said they were - facilities for the production of hydrogen gas to fill balloons.<sup>48</sup>

The revelation that the mobile labs were to produce hydrogen for artillery balloons caused further embarrassment to the British authorities when it was disclosed that the system was sold to Iraq by the British company, Marconi Command & Control.<sup>49</sup>

Finally, in an August 2003 interview with the BBC, the US chief weapons inspector, David Kay, said: "I think [talk of the mobile laboratories] was premature and embarrassing . . . I don't want the mobile biological production facilities fiasco of May to be the model of the future."<sup>50</sup>

### ***Exaggerated claims regarding a vial of botulinum and "new" covert BW research***

At least four other red herrings can be identified in regard to Iraq's alleged BW program. First, in his interim report to Congress in October 2003, David Kay said that Iraq had maintained a clandestine network of about two dozen small laboratories, run by Iraq's intelligence services, which contained equipment "suitable" for chemical or biological research. As proof he cited the discovery of the hidden vial of C. botulinum Okra B, which was subsequently highlighted in speeches by President Bush, Vice President Dick Cheney, Secretary of State Colin L. Powell and other senior administration officials as proof that Iraq maintained an illicit bio-weapons program before the war.

And in December 2003, Prime Minister Blair told British troops that investigators had uncovered "massive evidence of a huge system of clandestine laboratories" in Iraq. However, to date there has been no independent verification of this evidence. UNMOVIC has been unable to verify the claims because it has so far received no information on the ISG activities other than Kay's publicly available testimony before Congress.<sup>51</sup> According to an UNMOVIC spokesman, laboratories in and of themselves did not need to be declared, only certain types of equipment that they might contain. Without the ISG documentation, UNMOVIC cannot determine if the equipment contained in the laboratories needed to be declared.<sup>52</sup>

However, Paul Bremer, the Bush administration's point man in Baghdad, later dismissed Tony Blair's exaggerated claim: "I don't know where those words come from but that is not what [ISG chief] David Kay has said," he told ITV1's Jonathan Dimbleby programme. "I have read his reports so I don't know who said that. It sounds like a bit of a red herring to me. It sounds like someone who doesn't agree with the policy sets up a red herring then knocks it down."<sup>53</sup>

Moreover, the *LA Times* subsequently reported that the vial of C. botulinum Okra B was purchased legally from a US organization in the 1980s and is a substance

that has never been successfully used to produce a weapon.<sup>54</sup> The single vial, about two inches high and half an inch wide, had been stored in an Iraqi scientist's kitchen refrigerator since 1993. It was sealed and stored with 96 other apparently benign vials of single-cell proteins and biopesticides – all in the scientist's home.

The vial appears to have been produced by a nonprofit biological resource centre in Virginia, the American Type Culture Collection, which legally exported botulinum and other biological material to Iraq under a Commerce Department licence in the late 1980s.

Second, in addition to the doubts about the botulinum B sample, several independent experts have questioned the significance of Kay's claim that he uncovered "new research" in Iraq on such potential biowarfare agents as Brucella and Congo Crimean Hemorrhagic Fever, as well as "continuing work" on ricin and aflatoxin that were not declared to UN inspectors.

CCHF, as the hemorrhagic fever virus is known, is common in Iraq. The World Health Organization reports that the disease, which can cause intense bleeding and death, is "endemic in many countries in Africa, Europe and Asia." There is no evidence that Iraq or anyone else has weaponized it.<sup>55</sup>

Thus US administration officials were either ignorant about the effects of botulinum toxin or deliberately misled the media about it. This is evidenced by the comment of State Department spokesman Richard Boucher: "You kill people with botulinum," he told reporters. "It doesn't have any other use."

But actually, Botulinum A is widely marketed in the US under the trade name Botox as a medical treatment for dystonia, or severe muscle spasms, and as a cosmetic drug to get rid of wrinkles. Certainly, if botulinum A seed stock is added to a warm nutrient broth, it can yield bacteria that can be harvested to produce a highly lethal neurotoxin that causes respiratory failure and death in 24 hours. In late 1990, according to UN reports, Iraqi scientists poured at least 10,000 litres of botulinum A toxin into Al Hussein missile warheads and R-400 aerial bombs.

But Kay found botulinum B, not A. The Okra B strain is a common cause of deadly food poisoning, usually from spoiled food in cans. It is not very dangerous if inhaled. And, to recap, there is no evidence that Iraq - or anyone else - has ever succeeded in weaponizing botulinum B.<sup>56</sup>

Third, contrary to claims made before the war that Iraq possessed smallpox, US weapons inspection teams found no evidence that Saddam Hussein's regime was making or stockpiling smallpox. This is rather ironic given that US fears of smallpox weaponization led the Bush administration to launch a vaccination campaign for about half a million US military personnel after the September 11 attacks - and to order enough vaccine to inoculate the entire US population if

necessary. A three-month search by "Team Pox" turned up: disabled equipment that had been rendered harmless by UN inspectors; Iraqi scientists deemed plausible who gave no indication that they had worked with smallpox; and a lab thought to be back in use though covered in cobwebs.<sup>57</sup>

Fourth, in August 2003 the *Associated Press* reported that US weapons experts working in Iraq had concluded that Iraqi unmanned aerial vehicles (UAV) were not designed for conducting biological- or chemical-weapons attacks, contrary to claims made by US officials prior to the war. More important, reports state that *prior to the war*, US Air Force intelligence analysts and analysts from the Missile Defense Agency said that they believed that the UAVs did not pose a threat to either Iraq's neighbours or the US.

According to Air Force Intelligence Analysis Agency director Bob Boyd, there was also little evidence that the UAV program was connected with Iraq's suspected biological-weapons program, as the Iraqi drones were believed to be too small to carry weapons.<sup>58</sup>

## **Evidence of Iraq's Chemical Weapon Capability**

During the 1980s, Iraq developed one of the most extensive chemical weapons capabilities in the developing world, producing over 200,000 chemical weapon munitions (half of which were used during the war with Iran). After the first Gulf War, UNSCOM destroyed more than 480,000 litres of chemical agents and 1.8 million litres of chemical precursors in Iraq. However, rough estimates by UNMOVIC concluded that Iraq may have retained 80 tonnes of mustard gas, unknown quantities of weaponized VX nerve agent, and stocks of tabun, sarin and cyclosarin.

Again, US and UK authorities made much of the thousands of possible chemical munitions unaccounted for in their pre-war assessments. In November 2002, for example, American intelligence analysts are reported to have told the Bush administration that Saddam Hussein had begun to deploy chemical weapons but would almost certainly not use them unless the government's survival was at stake.<sup>59</sup> The DIA said Iraq would turn to the weapons only "in extreme circumstances, because their use would confirm Iraq's evasion of U.N. restrictions."<sup>60</sup> However, in June 2003, the Bloomberg news agency reported the existence of a September 2002 classified report from the DIA that said it had no reliable evidence that Iraq possessed chemical weapons.<sup>61</sup>

Despite searches at a number of suspected sites at Baija (northern Iraq), Hindiya (near Karbala, central Iraq) and Nassiriya and Najaf (southern Iraq), no active chemical weapons have been found.<sup>62</sup> Instead, it seems almost certain that most stocks were destroyed by inspectors in the mid 1990s and that any remaining weapons have deteriorated beyond effective use.

According to an interview by [opendemocracy.net](http://opendemocracy.net) with former UNSCOM inspector Ron Manley, who was responsible for chemical weapons destruction operations in Iraq from 1991-94:

Open Democracy: How much of the Iraqi chemical weapons capability had been neutralised or destroyed by the time the UNSCOM program stopped in 1994?

Ron Manley: The generally accepted figure is that at least 95% of the capability had been removed. We had accounted for a lot of the dual purpose chemical equipment, and what hadn't been destroyed was under constant surveillance. We accounted for almost all of the agents, even though the figures never quite added up. Realistically, there was always going to be some stuff left lying around, the odd warhead and certainly some precursor chemicals.

But we were confident that we had got the vast majority of the material, not least because nerve agents decay quickly unless they are very pure and stabilised. When the Americans, British, or Russians made nerve agents, for example, they needed them to be stable for five to ten years, so as to last inside the weapons systems.

But purifying and stabilising nerve agents is extremely difficult. Iraqi agents were extremely unstable. After 12 months in storage, for example, they would still be dangerous and kill some people, but they would only be about 1-5% as effective as when they were first made.

Open Democracy: The British governments September 2002 dossier says that, by that time, Iraq had the technology to stabilise nerve agents and other chemical agents.

Ron Manley: I know what the dossier says and I agree that they understood the principles of stabilisation of chemical agents. I am not aware, however, that we have any evidence that they actually put this knowledge into practice. Before you can stabilise a nerve agent you have to make it more than 95% pure, and we have no evidence of any kind to suggest that Iraq could produce agent to that standard.

Open Democracy: What standards of purity were they producing when you were there?

Ron Manley: About 60-70% at the point of manufacture. You see, if you want to make pure nerve agent you've got to distil it. But distillation of these materials, on a large scale, is very difficult, and to my knowledge the Iraqis have never come close to achieving it.

Personally, I think the dossier may be referring to mustard gas. We know the Iraqis are capable of making mustard gas of a very good quality, and that they knew how to stabilise it. However, I would stress we sampled and analysed all of the mustard gas that we came across, and, to my knowledge, we never found any that had been stabilised. It doesn't mean there wasn't any.

It's true that UN inspectors did find some mustard gas shells in 1998 and the analysis showed the quality was not too bad, but there was still no evidence of stabilisation.

There is also evidence, as I mentioned at the start, that the Iraqis were moving towards the manufacture of nerve agents using what's known as the binary process. This approach, which was first developed and used by the United States, means that you create and store two stable non-toxic materials, which when mixed together produce the lethal agent. The precursors are only mixed either immediately, before or even after the weapon is launched when they form the agent in flight. The quality of the agent produced by the Iraqi binary process was highly questionable.

Open Democracy: Why couldn't the Iraqis have restarted their programme?

Ron Manley: It's important to be aware of what that would actually involve. The sarin plant at Al-Muthanna, for example, was five storeys high and about 50 metres by 50 metres in size. To make nerve agents in a facility requires massive air filtration with a ventilation system capable of shifting and treating something like two million cubic metres of air per hour, if you don't want to kill off most of the workforce very quickly. This is something that could be easily monitored.

Open Democracy: They could build a small plant which would be less easy to detect.

Ron Manley: Well, yes, but then it wouldn't be possible to make militarily significant quantities. You can make some in a fume cupboard if you got the capabilities, but then you're talking about making grams. One shell holds roughly five kilograms.

If you want 10,000 shells you're looking at a lot of material. A single al-Hussein warhead holds 300 litres of agent. You can make 300 litres of agent in a fume cupboard, but it would take a very long time indeed.

Open Democracy: What about VX, wasn't that used at Halabja to massacre over 5,000 Kurds in 1988?

Ron Manley: No. There are many debates about what was used at Halabja. My own view is that the Iraqis used an agent called tabun, which is one of the first of the nerve agents to be produced, by the Germans in the 1930s. Tabun is difficult to make. One of the final steps involves the use of sodium cyanide, and it is hard to remove this to obtain pure tabun. The Iraqis never did that successfully. Their tabun was therefore heavily contaminated with cyanide.

According to several medical studies, some of the people who died at Halabja showed symptoms of cyanide poisoning while others were showing symptoms of nerve agent poisoning. This is what you would expect if the Iraqi forces used impure tabun. But that's a personal opinion, nobody has ever confirmed exactly what was used there. Certainly tabun was used, but was it the only agent? Some

say both tabun and mustard gas were used. Both are of an order of magnitude less toxic than VX and there is no evidence that the latter was used.

UN chief inspector Hans Blix's report says there may be something like three and half tonnes of VX we cannot account for. Iraqi scientists had told us back in 1992 that they had tried to produce VX, and succeeded in producing between two and three tonnes of very impure material; this is recorded in the UN inspections files.

You have to understand the importance of documents in a regime of Saddam's sort. The order comes down from on high saying make me three tons of VX. You do not go back and say, Sir, we tried and failed because if you do, you disappear. Instead, you send back a memo saying, Sir, we have produced your three tonnes of VX.

I know something about VX. The reason VX is not easy to produce is because the chemistry is incredibly difficult. I think the Iraqis never cracked the process to produce a good quality VX. Some, maybe, and it would, at best, probably have been no more than 50-60% pure and would have deteriorated very quickly. Even if they had made it by 1991 it would be absolutely useless by now.<sup>63</sup>

The difficulty of storing biological and chemical agents lends credibility to the theory that Iraq did not keep making such weapons and instead focused on "dual-use" design and engineering. The aim was to activate production and shipping of warfare agents and munitions directly to the battlefield in the event of war. That view is held by Rolf Ekeus, the first head of UNSCOM, as explained during a US television interview in September 2003:

Jim Lehrer: Why do you believe no weapons of mass destruction have been found since the end of the war?

Rolf Ekeus: I think that one has been first of all not looking not in the right direction or for the right stuff. My feeling is very clearly that the Iraqi policy long before the war was to build capability to develop its capabilities to produce weapons for the situation, for the conflict situation, not to produce for storage and create a problem of storage management.

Jim Lehrer: So it was a mistake to think that there were stockpiles buried underground or in warehouses or hidden in various places in Iraq in the first place?

Rolf Ekeus: Definitely, that's my, I tried to tell that for years, that the Iraqi policy was to have a capability to develop qualities -- to develop engineering, design, new types of weapons, especially in the chemical weapons and the bioweapons field in order to at a given moment, when the situation appears, to activate the production, because they learned during the 80's that when they produced say especially nerve agents like sarin, vx and all these things, when they put it in drums, in a storage places, after at least months the quality deteriorated.

And the reason was that Iraq never - at least in the early years - managed to get pure enough warfare agent, it was a matter of science.<sup>64</sup>

Former British Foreign Secretary Robin Cook, who resigned over Britain's decision to participate in the war against Iraq, has also written about the limited shelf life of chemical and biological munitions:

When the Cabinet of British Prime Minister Tony Blair's government discussed the dossier on Hussein's WMD, I argued that I found the document curiously derivative. It set out what we knew about Hussein's chemical and biological arsenal at the time of the 1991 Gulf War. It then leaped to the conclusion that Hussein must still possess all those weapons.

There was no hard intelligence of a current weapons program that would represent a new and compelling threat to our interests. Nor did the dossier at any stage admit the basic scientific fact that biological and chemical agents have a finite shelf life - a principle understood by every pharmacist. Go to your medicine chest and check out the existence of an expiration date on nearly everything you possess. Nerve agents of good quality have a shelf life of about five years and anthrax in liquid solution of about three years. Hussein's stocks were not of good quality. The Pentagon itself concluded that Iraqi chemical munitions were of such poor standard that they were usable for only a few weeks.<sup>65</sup>

## Conclusions

It is obvious that pre-war descriptions of the threat diverge significantly from what has actually been discovered in the nine months since the war. For example, when Secretary of State Colin Powell's report to the UN Security Council is compared to David Kay's interim report, no single clear and unambiguous confirmation of any of the former's claims in the latter can be found. As a detailed article in the *New York Review of Books* argues:

To place the reports side by side is instructive. Kay says nothing whatever about eleven of Powell's twenty-nine claims, which we may take as a functional equivalent of "not found." At the top of this list are the "100–500 tons of chemical weapons agent," the sarin and mustard gas, the possible 25,000 litres of anthrax, the "few dozen" Scud missiles, the "wherewithal to develop smallpox." Not found.

The cars full of "key files" being driven around by Iraqi intelligence agents? Not found.

The "warheads containing biological warfare agent...hidden in large groves of palm trees"? Not found.

The hundreds of documents signed by Iraqi scientists putting them on notice that death would be the punishment for anyone who talked? Not found.

The factory with thousands of centrifuges intended to produce fissionable material for atomic bombs with the telltale aluminium tubes? Not found.

It is difficult to convey the completeness of Kay's failure to find just about anything Powell cited as a justification for war. What Kay did find seems paltry and tentative. According to Powell, "a source said that 1,600 death row prisoners were transferred in 1995 to a special unit for...[chemical and biological] experiments.... An eyewitness saw prisoners tied down to beds, experiments conducted on them, blood oozing around the victims' mouths, and autopsies performed to confirm the effects." Kay found nothing so dramatic—only "a prison laboratory network, possibly used in human testing of BW agents...." Possibly used?

What happened to the 1,600 death row prisoners, the victims oozing blood, the autopsies? Powell said, "Iraq has produced [the nerve agent] VX and put it into weapons for delivery." Kay cites a "key area" where Iraq "may have engaged in proscribed or undeclared activity...including research on a *possible* VX stabilizer...." Where are the actual "weapons for delivery"? Where is the actual VX? Not found.

In a few cases David Kay almost declares flatly that something isn't there—for example, that Iraq has had no chemical weapons program since 1991. Not just the weapons are missing; there has been *no program—for twelve years*. But then Kay hedges. This conclusion, he writes, is based on "multiple sources with varied access and reliability"—in other words, they could be wrong, something might still turn up.

At the UN Powell had displayed schematic drawings of "biological weapons factories on wheels," adding that: "...we *know* that Iraq has at least seven of these...factories." Kay says only that his Iraq Survey Group has "not yet been able to corroborate" the existence of any mobile factories.

So it goes—no evidence backing Powell's claim that Iraqi military units had been ordered to prepare for chemical warfare against invading armies; no evidence that "Iraq undertook significant post-1998 steps to actually build nuclear weapons...."

Did David Kay find anything that might be described as a weapon? Not really. The closest he came was to retrieve from the home of a scientist a single vial—a "reference strain"—of a biological organism which *could* be used to make a biological weapon, or ordinary botox. Of all the weapons cited by Powell in his UN speech only one was actually found—sixteen empty munitions discovered by the UN inspectors in a scrap heap. The CIA had at one time worried that there might be 30,000 more, but Kay failed to find them. The conclusion seems inescapable—on the eve of war, and probably for years beforehand, Iraq had no weapons of mass destruction, and it had no active program to build them.<sup>66</sup>

Unsurprisingly, Secretary Powell remains unrepentant about the validity of his evidence. In an interview with the television show Nightline he said:

Powell: Everything we have seen over those years, since they actually used these weapons in 1988, led us to the conclusion, led the intelligence community to the conclusion that they still had intent, they still had capability, and they were



not going to give the up that capability. What they actually had, in the way of inventory, was something we had to try to analyse. And we put the best people on it. And the intelligence community presented all the information they had in national intelligence estimates, in information they provided to the Congress. It was also consistent with information that UN inspectors had come up with over the years. And foreign intelligence agencies had come up with over the years. When I went before the world last February 5th, at the United Nations Security Council, with Director Tenet there with me, I was presenting, in the most balanced way I could, but in a way to make the case, the considered view of the US intelligence community. Which was shared by most of the intelligence community cells throughout the world in different countries.<sup>67</sup>

But Secretary Powell has conceded that despite his assertions last year, he had no "smoking gun" proof of a link between the government of Iraqi President Saddam Hussein and terrorists of Al Qaeda. "I have not seen smoking-gun, concrete evidence about the connection," he said.<sup>68</sup> "I am confident of what I presented last year, the intelligence community is confident of the material they gave me, and this game is still unfolding."<sup>69</sup>

In retrospect, some of the claims made about Iraq's alleged NBC weapons should have been questioned more closely. Consider the following testimony by Dr. Thomas David Inch BE, Former Deputy Chief Scientific Officer, MoD, at Porton Down and former Chief Executive of the Royal Society of Chemistry, before the UK Foreign Affairs Committee regarding the intelligence dossier released by the British government in September 2002:

On page 18 of the report at paragraph 3 it says that the intelligence suggests that: "These stocks would enable Iraq to produce significant quantities of mustard gas within weeks and of nerve agent within months." From a technical perspective I find it very difficult to understand unless the intelligence was very firm, very clear and very precise why it should be possible to make mustard gas within weeks but it would take months to make nerve agents. If you have the facilities in place, the previous knowledge and so on, and the plants available, it does not seem to me that it takes more time to make one than the other. The question is: how good was the intelligence? That would be the kind of question that I would wish to probe to find out whether it was hard or soft material that we are looking at. There are other examples.<sup>70</sup>

US and British pre-war intelligence on Iraq's WMD capability remains the key issue upon which we now focus our attention.

## Part II: The Ambiguities and Flaws in US and British Pre-War Intelligence Analysis on Iraq's WMD Capability

... You act off intelligence. Intelligence doesn't necessarily mean something is true. It's just -- it's intelligence. You know, it's your best estimate of the situation. It doesn't mean it's a fact.

General Richard Myers at a Department of Defense Briefing on June 24, 2003.

Intelligence analysis has been described as an art as well as a science. Formulation of judgments can be a delicate and complex process, especially when it comes to science and technology issues. Again, consider the comments of Dr. Inch:

I think you have to take the information in the dossier very much with a pinch of salt. The intelligence behind the dossier may be quite good, but I think that my interpretation of what is written raises more questions than answers. In many general terms that reflects some of the problems of making good technical assessments of the bits and pieces of intelligence information that come your way. Sometimes the scientific community is in agreement with the intelligence community; and sometimes the scientific community disagrees strongly with the intelligence community's assessments.

Perhaps I can give two historical examples as it is important to understand this. In the early 1970s the US intelligence community reported that there had been an accident in Sverdlovsk in Russia and that there had been an accidental release of anthrax from which many people had died. At that time in the US the chief scientific adviser was not convinced by the intelligence information; he did not think that it all held together. The signs and the symptoms did not fit the intelligence report. After the Iron Curtain came down that same person went to Sverdlovsk and was able to make a thorough interpretation. The scientific community had missed one or two important facts and the intelligence community was absolutely right. The total picture that emerged post-event was very convincing. That is one plus to the intelligence community.

Rolling on to the early 1980s, the US intelligence community claimed that a new form of toxic material - T2 toxin - was being used in Laos in Cambodia which was subsequently dubbed "yellow rain". The American intelligence community went public at that time, and the information reached the Secretary of State and the President of the United States who went public on that information. Subsequently there was enormous pressure on our intelligence community to support the arguments. In this country our scientific community was never convinced; nothing really held together; the materials in question were insufficiently toxic; and there was a whole raft of other information that just did not fit. Eventually it was proven to our satisfaction that yellow rain was simply the droppings from flocks of bees.

That is a big negative for the US intelligence community who, in my view, made in their interpretation a whole range of fundamental errors in not carrying out the proper checks and studies.<sup>71</sup>

However, there are numerous examples discussed above and below, in which the intelligence collection process inexplicably ignored, downplayed or exaggerated pre-war information on Iraq's WMD capability. Indeed, such intelligence failings continued into the post-war environment. Former UN arms inspector Scott Ritter, for example, has noted that US forces failed to secure the records of the Iraqi National Monitoring Directorate, the Iraqi government agency responsible for coordinating all aspects of the UN inspection teams' missions. It was the repository for every Iraqi government record relating to its weapons programs, as well as to the activities at dozens of industrial sites in Iraq that were "dual-use".<sup>72</sup>

## US Pre-War Intelligence

The *Washington Post* reported in July 2003 that a review of speeches and reports, plus interviews with present and former administration officials and intelligence analysts, suggested that between October 7, 2002, when President Bush made a speech laying out the case for military action against Hussein, and January 28, 2003, when he gave his State of the Union address, almost all the evidence had either been undercut or disproved by UN inspectors in Iraq.<sup>73</sup>

Even David Kay, head of the ISG, charged with searching for Iraq's proscribed weapons, has implicitly acknowledged the ambiguities of intelligence when he presented his interim report to the US Congress in October 2003. He said, "The result was that our understanding of the status of Iraq's WMD program was always bounded by large uncertainties and had to be heavily caveated."<sup>74</sup> And, though he tried to avoid saying it outright, he did concede in an interview that pre-war intelligence might have been completely off:

Jim Lehrer: But it doesn't surprise you that the... in other words, you're saying get ready for the intelligence to be proved wrong? In other words the pre-war intelligence may very well have been wrong and don't be surprised if you finally conclude that?

David Kay: Don't be surprised if there are differences between what you thought before and what turns out to be reality. Every war, the fall of the Soviet Union, the Second World War, has always had surprises to intelligence. I would be surprised if this one didn't show differences.<sup>75</sup>

But some of the technical analysis provided by the intelligence agencies was simply wrong. For example, President Bush suggested in February 2003 that the NIE said that Iraq could launch drones with germ weapons from ships at sea and use them to attack the US. While much of the American intelligence community supported that assessment, there was one notable exception: the intelligence arm of the US Air Force, which has a real claim to expertise in this area as the

Air Force has experience in designing and operating advanced drones, also called unmanned aerial vehicles (UAVs).

The Air Force was never convinced that Baghdad had developed drones capable of effectively distributing chemical and biological weapons as the White House claimed. But the Air Force dissent, attached to a classified report in October 2002 on the Iraqi threat, was kept secret even as the President publicly made the opposite case in the fall before a congressional vote on the war resolution.

"The Director, Intelligence, Surveillance and Reconnaissance, U.S. Air Force, does not agree that Iraq is developing U.A.V.'s primarily intended to be delivery platforms for chemical and biological warfare (C.B.W.) agents," the declassified version of the estimate notes. "The small size of Iraq's new U.A.V. strongly suggests a primary role for reconnaissance, although C.B.W. delivery is an inherent capability."<sup>76</sup>

The NIE was flawed in other respects as well. Not only did it exaggerate Iraq's nuclear program (as described earlier), but it concluded that Iraq was still producing such deadly chemical agents as mustard, sarin and VX and had hundreds of tons of chemical weapons stockpiled.

In fact it appears that the NIE was rushed into production only after requests from Democratic senators who were being asked to give President Bush authorization to go to war." The NIE was hastily done in three weeks," one senior intelligence expert said. "It was a cut-and-paste job, with agencies and officials given only one day to review the draft final product when they usually take months. . . . Today they still disagree on the meaning of what came out."<sup>77</sup>

In retrospect, a careful reading of the NIE shows that its key judgments were inconclusive. In the section entitled *Confidence Levels for Selected Key Judgments in this Estimate*, three judgments are listed for which the NIE claims to have the lowest confidence, i.e., when Saddam would use WMD; whether Saddam would clandestinely attack the US mainland; and whether Saddam might share WMD with Al-Qaeda.

We note that all three judgments concern *plans and intentions*, two subjects on which only human spies can effectively report. And, by the time the NIE was prepared, Saddam Hussein's regime had successfully killed off almost all of the human intelligence (HUMINT) assets that the US and other intelligence services had in Iraq.<sup>78</sup>

Furthermore, neither the released portions of the NIE nor the full report substantiate the administration's view that Iraq represented an immediate threat to the US or the region. It contained no photographs of weapons sites, no substantiation of many allegations, no "proof" that would be of use to inspectors

or targeters.<sup>79</sup> Why was the NIE so inaccurate, and so selectively quoted by the Bush administration?

Jay Taylor, former State Department director of analysis for East Asia and the Pacific, and later Deputy Assistant Secretary of State for intelligence and Research under President Ronald Reagan, wrote:

George Tenet, the current director of central intelligence, came into office in 1997 giving high priority to maintaining the integrity of the CIA. But over the past year, it appears that he has not served Congress and the American people well on the question of Iraqi weapons of mass destruction and alleged Iraqi ties to Al Qaeda. He seems to have engaged in over- and under-statement; highly selective release of facts and assessments, including the clever use of "key judgments" and executive summaries; failure to correct exaggerated statements by the president and others; and failure to stop a maverick Pentagon operation producing intelligence as art.

It may not have been necessary to pressure individual analysts to distort public and congressional perceptions of what the administration knew and did not know. Analysts, like their chiefs, are human and to varying degrees are inclined to go along if the spin on the top of a report is done subtly. Nevertheless, during the build-up to the war, a number of CIA and Defense Intelligence Agency analysts risked their jobs by complaining to journalists about misperceptions that the administration was creating on major issues regarding Iraq. Throughout this period, the CIA director probably -- and this is a subjective judgment -- understood that the evidence of the Iraqi threat overall was flimsy, but he went along with this exercise or at least did nothing to stem the tide of misrepresentations.<sup>80</sup>

It is also worth noting that by the end of May 2003 three complaints had been filed with the CIA ombudsman about the administration's possible politicization of intelligence on Iraq.<sup>81</sup>

For example, in June 2003, the *Washington Post* reported that Vice President Cheney and his most senior aide, Chief of Staff I. Lewis "Scooter" Libby, had made multiple visits to the CIA over the past year to question analysts studying Iraq's weapons programs and alleged links to Al Qaeda, creating an environment in which some analysts felt they were being pressured to make their assessments fit with the Bush administration's policy objectives.<sup>82</sup> Cheney's defenders insist that his visits merely showed the importance of the issue and that an honest analyst wouldn't feel pressure to twist intelligence.<sup>83</sup>

However, Christian Westermann, an analyst in the State Department's Bureau of Intelligence and Research and a top State Department expert on chemical and biological weapons, told Congressional committees in closed-door hearings that he had been pressed to tailor his analysis on Iraq and other matters to conform to the Bush administration's views.<sup>84</sup> Although manipulation of intelligence is hardly a new phenomenon,<sup>85</sup> an article in *Newsweek* sets out damning case against Cheney:

...it appears that Cheney has been susceptible to "cherry-picking," embracing those snippets of intelligence that support his dark prognosis while discarding others that don't. He is widely regarded in the intelligence community as an outlier, as a man who always goes for the worst-case scenario and sometimes overlooks less alarming or at least ambiguous signs.<sup>86</sup>

In fairness it should be noted that the misuse of intelligence does not fall solely within the realm of the executive branch. There were accomplices in the legislative branch who chose to look the other way and not ask tough questions. Writing in the *New York Review of Books*, Thomas Powers, a veteran journalist and author who has followed the intelligence community for decades, wrote:

...for the bigger part I blame the insistence of the President that Iraq threatened America, the willingness of the CIA to create a strong case for war out of weak evidence, and the readiness of Congress to ignore its own doubts and go along. Their faith in the case for war confirms that something has been going on deep in the American psyche since the beginning of the cold war, a progressive withering of the sceptical faculty when "secret intelligence" is called in to buttress a president's case for whatever he wants. The vote for war on Iraq was not unprecedented; forty years ago Congress voted for war in Vietnam in the Tonkin Gulf resolution, too timid to insist on time to weigh reports of an attack on American ships at sea—reports that were either plain wrong or misleading. Again and again throughout the cold war Congress voted billions for new weapons systems to meet hypothetical, exaggerated, or even imaginary threats—routinely backed up by evidence too secret to reveal.

Years of talk about sources and methods, spies and defectors, classified documents and code-word clearances, spy satellites and intercepted communications, have generated a mystique of secret intelligence that chills doubt and freezes debate. The result is a tiptoeing deference which treats classified information as not only requiring special handling, but deserving special respect. "As always," George Tenet told the Senate Intelligence Committee during the war resolution debate last fall, "our declassification efforts seek a balance between your need for unfettered debate and our need to protect sources and methods." The committee might have balked and asked for a closer look, but did not. When Congress voted last October it seemed to have lost some fundamental equilibrium— as if caution itself were aid to an enemy. A Congress so easily manipulated has in effect surrendered its role, allowing presidents to do as they will.<sup>87</sup>

That being said, the Bush administration clearly ignored evidence that conflicted with its view that Iraq had NBC weaponry. One tactic was to bypass the government's customary procedures for vetting intelligence. In an article in *The New Yorker*, Seymour Hersh described how this was done:

A retired C.I.A. officer described for me some of the questions that would normally arise in vetting: "Does dramatic information turned up by an overseas spy square with his access, or does it exceed his plausible reach? How does the agent behave? Is he on time for meetings?" The vetting process is especially important when one is dealing with foreign-agent

reports—sensitive intelligence that can trigger profound policy decisions. In theory, no request for action should be taken directly to higher authorities—a process known as “stovepiping”—without the information on which it is based having been subjected to rigorous scrutiny.

The point is not that the President and his senior aides were consciously lying. What was taking place was much more systematic—and potentially just as troublesome. Kenneth Pollack, a former National Security Council expert on Iraq, whose book “The Threatening Storm” generally supported the use of force to remove Saddam Hussein, told me that what the Bush people did was “dismantle the existing filtering process that for fifty years had been preventing the policymakers from getting bad information. They created stovepipes to get the information they wanted directly to the top leadership. Their position is that the professional bureaucracy is deliberately and maliciously keeping information from them. “They always had information to back up their public claims, but it was often very bad information,” Pollack continued. “They were forcing the intelligence community to defend its good information and good analysis so aggressively that the intelligence analysts didn’t have the time or the energy to go after the bad information.”

The Administration eventually got its way, a former C.I.A. official said. “The analysts at the C.I.A. were beaten down defending their assessments. And they blame George Tenet”—the C.I.A. director—“for not protecting them. I’ve never seen a government like this.”<sup>88</sup>

Another article by Hersh described how the Pentagon set up an “Office of Special Plans (OSP),” conceived by Paul Wolfowitz, Deputy Secretary of Defense. The purpose of the OSP was to find evidence of what Wolfowitz and Secretary Rumsfeld believed true – that Saddam Hussein had close ties to Al Qaeda and that Iraq had an arsenal of chemical and biological, and possibly even nuclear weapons.<sup>89</sup>

Vince Cannistraro, former CIA chief of counter-terrorism, said of the OSP: “The politicisation of intelligence is pandemic, and deliberate disinformation is being promoted. They choose the worst-case scenario on everything and so much of the information is fallacious.”<sup>90</sup>

Actually, the OSP was not the only Pentagon unit set up to contradict official intelligence estimates. As recently reported by *Mother Jones* magazine, a separate, unnamed Pentagon intelligence unit operated out of the office of Douglas J. Feith, Undersecretary of Defense for Policy and a former aide to Richard Perle at the Pentagon in the 1980s. Just after September 11, 2001, Feith recruited David Wurmser, the director of Middle East studies for American Enterprise Institute (AEI), to serve as a Pentagon consultant and founding participant of the unnamed, secret intelligence unit.<sup>91</sup>

The purpose of the unit was to scour reports from the CIA, the Defense Intelligence Agency, the National Security Agency, and other agencies to find

nuggets of information linking Iraq, Al Qaeda, terrorism, and the existence of Iraqi WMD.<sup>92</sup>

The House Intelligence Committee has initiated an inquiry into the performance of US intelligence analysis in Iraq. On June 25, 2003, during the House debate on the intelligence authorization bill, Representative Jane Harman, the ranking Democrat on the committee, delivered an informal progress report on the inquiry:

*On Bush's pre-war assertions about Iraq's weapons of mass destruction:* "When discussing Iraq's WMD, administration officials rarely included the caveats and qualifiers attached to the intelligence committee's judgments. For many Americans, the administration's certainty gave the impression that there was even stronger intelligence about Iraq's possession of and intention to use WMD."

*On the evidence upon which the WMD assertions were based:* "The committee is now investigating whether the intelligence case on Iraq's WMD was based on circumstantial evidence rather than hard facts and whether the intelligence community made clear to the policy-makers and Congress that most of its analytic judgments were based on things like aerial photographs and Iraqi defector interviews, not hard facts."

*On the supposed Hussein-Al Qaeda connection:* "[T]he investigation suggests that the intelligence linking Al Qaeda to Iraq, a prominent theme in the administration's statements prior to the war, [was] contrary to what was claimed by the administration."<sup>93</sup>

The Senate Select Intelligence Committee is due to present its report in February this year. In the meantime, the CIA has reassigned two senior officials who oversaw its analysis on Iraq's alleged banned weapons, a move that one commentator portrayed as an "exile." The two officials served in senior positions in which they were deeply involved in assembling and assessing the intelligence on Iraq's alleged stocks of chemical and biological arms. One of the officials was reassigned to the CIA's personnel department after spending the past several months heading the Iraq Task Force, a special unit set up to provide 24-hour support to military commanders during the war. The other, a long-time analyst who had led the agency's Iraq Issue Group, was dispatched on an extended mission to Iraq.<sup>94</sup>

On balance, therefore, Greg Thielmann, who served as director of the office of Strategic, Proliferation, and Military Affairs in the State Department's Bureau of Intelligence and Research until September 2002, seems to have it about right when he says, "I believe the Bush administration did not provide an accurate picture to the American people of the military threat posed by Iraq. Some of the fault lies with the performance of the intelligence community, but most of it lies with the way senior officials misused the information they were provided."<sup>95</sup>



## British Pre-War Intelligence

Similar flaws can be found in the British intelligence assessment process. For example, allegations persist that Downing Street scrapped a dossier on Iraq drawn up by intelligence officials because it failed to establish that Saddam Hussein posed a growing threat. The six-page document was allegedly produced in March 2002 by staff working for the joint intelligence committee using material supplied by MI6 and the Ministry of Defence. It was said to have been written six months before the release of the government's controversial 50-page dossier, but was never published.<sup>96</sup>

However, it is in relation to the dossier on Iraq released on September 24, 2002, that most attention has focused.<sup>97</sup> For example, the British government changed the title of the dossier at the last minute, to portray a situation in Iraq that some of its most senior experts did not accept as valid. As Cambridge academic Glen Rangwala noted:

A member of the defence intelligence staff, who identified himself as "probably the most senior and experienced intelligence community official working on WMD", wrote just before the dossier's release to Tony Cragg, then the deputy chief of defence intelligence, to express formal reservations about the dossier. According to Martin Howard, Mr. Cragg's successor, the reservation was partly that "the language was too strong on the continued production of chemical and biological agents".

Neither the senior intelligence official nor Dr Kelly accepted that Iraq had continued to produce prohibited weapons. The ongoing production of weapons was a crucial element of the case for a threat from Iraq, because most of its chemical or biological agents produced before 1991 would have become useless.

Mr. Howard advised the Defence Secretary, Geoff Hoon, to acknowledge to the parliamentary Intelligence and Security Committee, which meets behind closed doors and reports only to the Prime Minister, that the intelligence official and one other member of the defence intelligence staff had expressed reservations.

But Mr. Howard told the inquiry that these individuals had not seen "sensitive" new information, and so were not able to appreciate the stronger new claim.

It is hard to see why the most senior defence intelligence official on WMD would be denied access to information on the subject. Nor did this explanation by Mr. Howard appear in any of the correspondence between himself and the sceptical official that was released by the inquiry.

The suspicion that the intelligence community focused on Iraq's WMD potential rather than existing weapons is increased by the changes to the text visible in the limited excerpts released so far during the Hutton inquiry from earlier drafts of the September dossier.

The draft of the dossier from 10 September, two weeks before its release, concludes: "Intelligence confirms that Iraq has covert chemical and biological weapons

programmes, in breach of UN Security Council Resolution 687." This is changed in the final version of the dossier to: "Intelligence shows that Iraq has covert chemical and biological weapons programmes, in breach of UN Security Council Resolution 687 and has continued to produce chemical and biological agents."

On the same page is the only allegation that Iraq actually has such weapons: "Iraq has chemical and biological agents and weapons available, either from pre-Gulf War stocks or more recent production."

In the final version of the dossier, this is strengthened to: "Iraq has chemical and biological agents and weapons available, both from pre-Gulf War stocks and more recent production."

Similarly, the claim that weapons could be used within 45 minutes was strengthened between the draft of the dossier dated 16 September and that published eight days later. The earlier version raised a possibility: "The Iraqi military may be able to deploy chemical or biological weapons within 45 minutes of an order to do so."

The version released to the public lost the element of uncertainty: "Military planning allows for some of the WMD to be ready within 45 minutes of an order to use them."

Even in the published version of the dossier, as BBC correspondent Andrew Gilligan pointed out at the inquiry, the description of Iraq's potential to produce chemical and biological weapons is provided in detail, while the claim about continuing production is merely asserted.

"The most immediate threat" from Iraq is identified as "Iraqi former chemical and biological warfare facilities", while "their limited reconstruction and civil production pointed to a continuing research and development programme".

But the dossier goes on to claim that there is actual production of warfare agents, a claim highlighted in the Prime Minister's foreword and in his subsequent speech to the House of Commons.<sup>98</sup>

Even though the British government has been cleared of the charge of "sexing up the dossier" by a Parliamentary committee,<sup>99</sup> the more challenging Hutton inquiry may yet reach a different conclusion. Public evidence to the inquiry has already revealed a number of discrepancies in the role of the intelligence agencies.

For example, when Sir Richard Dearlove, the head of MI6, officially known only as "C," emerged from secrecy to give evidence, he insisted that the compilation of the September dossier had been perfectly proper, but also revealed some damning information. When asked whether the dossier had given undue prominence to the 45 minutes claim, Dearlove replied:

Dearlove: Well, I think given the misinterpretation that was placed on the 45 minutes intelligence, with the benefit of hindsight you can say that is a valid criticism. But I am confident that the intelligence was accurate and that the use made of it was entirely consistent with the original report.

Lord Hutton: Would you just elaborate what you mean by the misinterpretation placed on the 45 minutes claim?

Dearlove: Well, I think the original report referred to chemical and biological munitions, and that was taken to refer to battlefield weapons. I think what subsequently happened in the reporting was that it was taken that the 45 minutes applied, let us say, to weapons of a longer range.

This exchange surely validates Andrew Gilligan's claim that the dossier had been "sexed up". Iraqi battlefield weapons with chemical and biological warheads, even if they did exist, presented no threat to the stability of the Middle East, still less to Britain and the US.

Documentary evidence provided to the inquiry has also demonstrated that senior figures inside Downing Street knew the evidence about Iraqi WMD was weak. An e-mail sent to John Scarlett, chairman of the Joint Intelligence Committee, from Jonathan Powell, Blair's chief of staff, shortly before the dossier was published, said, "The document does nothing to demonstrate a threat, let alone an imminent threat, from Saddam. . . . We will need to make it clear in launching the document that we do not claim that we have evidence that he is an imminent threat." But this is exactly what the final version of the dossier claimed.

As Clare Short, the international development secretary who resigned from Blair's cabinet in May 2003, says, "...as a result of the Hutton inquiry, we now know that two defence intelligence officials wrote to their boss to put on record their disquiet at the exaggeration in the dossier. Moreover, one official asked his boss for advice as to whether he should approach the foreign affairs select committee after the foreign secretary had said that he was not aware of any unhappiness among intelligence officials about the claims made in the dossier".<sup>100</sup>

Aside from the misuse of intelligence, it appears that the British government also resorted to outright propaganda. In late December 2003 the British government confirmed that the Secret Intelligence Service, MI6, had run an operation to gain public support for sanctions and the use of military force in Iraq. It had organised Operation Mass Appeal, a campaign to plant stories in the media about Saddam Hussein's weapons of mass destruction.<sup>101</sup>

And finally there is the case of the second "dodgy dossier" published by Downing Street in February 2003. In its Annual Report published on June 10, 2003, the Intelligence and Security Committee (ISC) was heavily critical of the February dossier:

In September 2002 some intelligence was declassified and used to produce a dossier on the Iraqi WMD programme. The Agencies were fully consulted in the production of the dossier, which was assembled by the Assessments Staff, endorsed by the JIC and issued by the Prime Minister. The Committee supports the responsible use of intelligence and material collected by the Agencies to inform the public on matters such as these.

We believe that material produced by the Agencies can be used in publications and attributed appropriately, but it is imperative that the Agencies are consulted before any of their material is published. This process was not followed when a second document was produced in February 2003. Although the document did contain some intelligence derived material it was not clearly attributed or highlighted amongst the other material, nor was it checked with the Agency providing the intelligence or cleared by the JIC prior to publication. We have been assured that systems have now been put in place to ensure that this cannot happen again, in that the JIC Chairman endorses any material on behalf of the intelligence community prior to publication.<sup>102</sup>

Downing Street has apologised for failing to admit that much of the dossier came from published academic sources, including an article by a California PhD student.<sup>103</sup> But the question remains, who authorised its release in this format, and why?

## **Iraqi defectors and other misleading indigenous human intelligence**

It also turns out that information from Iraqi defectors was, at best, of dubious value. Officials in Washington have confirmed that former Iraqi officials who had defected and were handed over to the CIA by the Iraqi National Congress (INC), the exile opposition group, provided them with information on Iraq's WMD program, which the Bush administration relied on to press its case for war.

According to one DIA agent. "The statements on WMD that the INC guys brought in matched conclusions they [Bush cabinet members] already had. We looked at the info and said: 'You can't be serious, you have got to be kidding'."<sup>104</sup>

Nonetheless, apparently senior administration officials relied on defectors' information. *Newsweek* obtained a memo suggesting that the INC in 2002 was directly feeding intelligence reports about Iraqi weapons and purported ties to one of Vice President Cheney's top foreign-policy aides. Cheney staffers later pushed INC information, including defectors' claims, to bolster the case that Iraq posed a direct threat to America.<sup>105</sup>

However, Ambassador Rolf Ekeus, the first executive chairman of UNSCOM, has noted that defectors were frequently unreliable, and their information was difficult, if not impossible, to verify without utilizing "unappetizing methods."<sup>106</sup> A case in point concerns an interview in the December 7, 2003, *Sunday Telegraph* of a man purporting to be an Iraqi colonel who said he was the source of the UK Government's claim that Saddam Hussein could launch weapons of mass destruction within 45 minutes and that they had been deployed to the frontline.

It should be noted that this claim was first put forward by an Iraqi exile group known for its close relationship with the CIA and Britain's MI6.<sup>107</sup>

But such claims seem extremely unlikely. As a subsequent article in *The Independent* pointed out,

...question-marks were gathering around the story, not least over the man's claims that the Iraqi-made WMD warheads were to be fired on the battlefield by hand-held rocket-propelled grenade launchers, a weapon of very limited range.

The interviewee was identified only as Lt-Col al-Dabbagh, 40, who was the "head of an Iraqi air defence unit in the western desert". He was also interviewed by the American network channel, NBC. The channel reported that the colonel said Iraqi troops were under orders from Saddam to use "primitive short-range biological and chemical warheads fired from rocket-propelled grenade launchers, tactical weapons of mass destruction transported at the dead of night and handled only by Saddam's secret service." In the end, these orders were ignored because they chose not to fight.

However, sections of the transcript of the NBC interview that the network did not broadcast were aired on the ITV News Channel, which has a partnership with NBC. In one, the colonel was asked by NBC's Baghdad correspondent why he was so sure that these were chemical or biological weapons. His reply suggests that he was not, in fact, sure at all.

"We cannot determine exactly, but the procedures taken show that these were indeed WMD," he said. "It might have been chemical or biological but it was definitely unconventional weapons."

In another section, broadcast by ITV, the colonel says: "The instructions from Saddam were clear. When you get to a critical point where the survival of the country is at stake then you can use these weapons. All weapons starting from the common knife all the way up to nuclear weapons can be used. That was the instruction."

As it has long been known that Iraq's armed forces did not possess nuclear weapons, this raises further doubts about the unnamed "colonel's" credibility.<sup>108</sup>

Furthermore, even if one accepts the story, RPGs, even with CBW warheads, hardly sound like the "WMD" which the world was warned about before the invasion.

It should also be noted that the 45 minutes claim was used by the US government as well. The claim was made twice by President Bush, in a September 2002 Rose Garden appearance after meeting with lawmakers and in a radio address the same week.<sup>109</sup> On those two occasions, Bush attributed the

claim to the British government, but in a "Global Message" issued on September 26, 2002, and still on the White House Web site,<sup>110</sup> the White House claimed, without attribution, that Iraq "could launch a biological or chemical attack 45 minutes after the order is given." The White House did not seek CIA approval before making the charge.<sup>111</sup>

Establishing spies within a regime as closed as Saddam's takes time. And by late 2002 US intelligence had not managed to develop a network that could find banned weapons or production facilities that US officials were sure existed. While the CIA disclosed its difficulties to congressional overseers, it did not make the problem public before the war.<sup>112</sup> Instead, information appears to have been extracted from Iraqi exiles with very limited current knowledge of, or access to state secrets. For example, during his presentation to the UN on February 5, Secretary of State Colin Powell disclosed that "an Iraqi chemical engineer" had provided US intelligence with detailed information on a secret Iraqi program to develop mobile biological weapons production plants. But the engineer was not an active spy within the regime. He provided information to US intelligence only after he had left Iraq.<sup>113</sup>

More disturbingly, other intercepted intelligence appears to have been manipulated to exaggerate the case against the Iraqi regime. One such example was noted by a National Public Radio reporter:

...Secretary Powell played a tape of an intercepted conversation between two Republican Guard officers, and it appeared from what he played, or from the translation that Secretary Powell provided, that they were talking about the arrival of some weapons inspectors, and Secretary Powell quoted them in this intercepted tape as one officer saying, "They are inspecting the ammunition you have, yes?" And the other officer says, "Yes, for the possibility there are forbidden ammo." "For the possibility there is, by chance, forbidden ammo." "Yes." "And we sent you a message yesterday to clean out all the areas, the scrap areas, the abandoned areas. Make sure there is nothing there." That's the part that Secretary Powell read. Yet when the State Department finally produced the actual transcript of this, it came out differently. The last line was, "And we sent you a message to inspect the scrap areas and the abandoned areas." Apparently he didn't actually say, 'Clean out the areas,' and there's no evidence he said 'Make sure there is nothing there.'<sup>114</sup>

After the fall of Baghdad, it was expected that captured Iraqi scientists would lead coalition forces to hidden caches of unconventional weapons. However, Iraqi scientists and technicians who have been detained say that Iraq destroyed all of its banned munitions years ago, and nothing more was produced. The scientists have been threatened, coaxed, offered all kinds of incentives, including safe haven outside Iraq for their families. Nothing changes their stories.<sup>115</sup>

For example, Gen. Amir Saadi, the main Iraqi liaison to the UN inspection teams, insisted after surrendering to US forces that Iraq had destroyed all illicit weapons in the years after the 1991 Persian Gulf War. So did another senior scientist, Emad Ani, who directed Iraq's program to produce VX nerve gas in the 1980s.<sup>116</sup>

Finally, a three-month *Time* magazine investigation found that:

Saddam's henchmen all make essentially the same claim: that Iraq's once massive unconventional-weapons program was destroyed or dismantled in the 1990s and never rebuilt; that officials destroyed or never kept the documents that would prove it; that the shell games Saddam played with U.N. inspectors were designed to conceal his progress on conventional weapons systems—missiles, air defenses, radar—not biological or chemical programs; and that even Saddam, a sucker for a new gadget or invention or toxin, may not have known what he actually had or, more to the point, didn't have. It would be an irony almost too much to bear to consider that he doomed his country to war because he was intent on protecting weapons systems that didn't exist in the first place.<sup>117</sup>

The intelligence and political discrepancies described above are matters of great consequence, not only in retrospect regarding the decision to go to war, but as regards the handling of current and future proliferation crises, especially in Iran and North Korea. Although the complete picture has yet to emerge, enough is now known to present some partial conclusions and recommendations for future US and UK non-proliferation policies and practices.

## **Part III: Conclusions and Recommendations**

No banned weapons have been found in Iraq. There are four potential explanations for this:

- The weapons were destroyed or moved out of Iraq prior to invasion;
- The weapons were destroyed in coalition bombing or subsequent looting;
- The weapons exist but have not yet been found; or
- The weapons were destroyed even earlier, perhaps in the early or mid-1990s (i.e. the UN weapons inspectors succeeded in their mandate).

Each of these explanations is considered in turn:

### **Were the missing weapons destroyed or moved out of Iraq prior to the invasion?**

This is an unlikely explanation for the general failure to find illicit weapons that had been identified so confidently prior to the war. There have been suggestions in US circles that some weapons may have been transferred to Syria, but given the geopolitics of the Middle East this seems unlikely. First, Syria was not a very close ally, and second, Iraq had a very bad experience of hiding aircraft in Iran prior to the first Gulf War (when the Iranian government confiscated the planes).

In addition, the logistical problems of transporting or destroying large stocks of chemical and biological weapons just days before the US-led invasion are likely to have precluded this as a realistic option. This is not to say there is not a real danger that in the post-war chaos and looting some WMD materials may have been diverted out of Iraq (as was predicted by one analyst prior to the war<sup>118</sup>).

### **Were the weapons destroyed in the bombing campaign or stolen by looters?**

Scores of suspect sites, industrial complexes and offices were stripped of valuable documents and equipment. Investigations at the Qa Qaa facility, for example, were hampered by the failure to secure it from looters. Word that the plant was open to pillage spread quickly through surrounding impoverished villages, and by the time specialist units arrived, much had already been looted. For instance, the experts found manuals that came with two drying ovens imported from Germany, equipment that can be used to culture viruses and bacteria for weapons. But the ovens themselves were gone by the time the specialists arrived.<sup>119</sup>

Again, although it is very possible that much evidence for CBW would be degraded by looting or military action, it could not possibly be the case that all



conclusive evidence would be destroyed. If chemical or biological weapon stockpiles had been destroyed by coalition bombing, for example, the inspectors would have expected to find traces or remnants of agents.

### **Isn't it a question of needing more time to find the weapons?**

While this is the line that the Blair government is sticking to, as mentioned in the introduction to this report, the US administration on the other hand is beginning to accept that banned weapons are unlikely to be discovered. Some US inspectors are continuing to argue that more time is needed, and Pentagon officials have said that the search process could take up to a year to complete. That is rather ironic, considering that UNMOVIC said before the war began that it could wrap up inspections in a few months.

As Hans Blix, Executive Chairman of UNMOVIC, noted before he retired, "Three-and-a-half months for new inspections was a rather short time before calling it a day and especially when we now see the US government is saying that, 'look, you have to have a little patience, you know these things take time.' All right."<sup>120</sup>

The Prime Minister has remained confident that evidence of Iraqi WMD would be found, and has even hinted that some of the evidence has already been accumulated. In a television interview at a Russia-European Union summit at the end of May 2003, Tony Blair said that he had already seen plenty of information that his critics had not, but would in due course:

Over the coming weeks and months we will assemble this evidence and then we will give it to people... I have no doubt whatever that the evidence of Iraqi weapons of mass destruction will be there. Those people who are sitting there saying 'Oh it is all going to be proved to be a great big fib got out by the security services, there will be no weapons of mass destruction', just wait and have a little patience. I certainly do know some of the stuff that has already been accumulated...which is not yet public but what we are going to do is assemble that evidence and present it properly.<sup>121</sup>

***If Downing Street has as yet unpublished evidence of Iraqi WMD, as claimed by the Prime Minister at the end of May 2003, this should be published without delay.***

The US Administration, on the other hand, is now emphasizing the need to find a paper trail and testimony that points to the Hussein regime's capability and intent to develop chemical, biological or nuclear weapons, as opposed to a readily usable stockpile of weapons. Indeed, President Bush appears to dismiss as irrelevant the difference between a weapons program and a weapon. When asked by Diane Sawyer, why he said Iraq had weapons of mass destruction when intelligence pointed more to the possibility Hussein would obtain such weapons, Bush dismissed the question: "So, what's the difference?".<sup>122</sup>

This new rationale was cited again in the President's January 20, 2004 State of the Union address when he said, "We are seeking all the facts -- already the Kay Report identified dozens of weapons of mass destruction-related program activities and significant amounts of equipment that Iraq concealed from the United Nations. Had we failed to act, the dictator's weapons of mass destruction programs would continue to this day."<sup>123</sup>

Such a claim is simply wrong. As a former UNSCOM inspector noted, "From the technical point of view, it is very difficult to make conclusions based on David Kay's unclassified report. The unclassified report doesn't have sufficient elements for a proper technical evaluation."<sup>124</sup>

US officials continue to argue that they were right to assume, based on older evidence and more recent circumstantial material, that Iraq was maintaining its unconventional weapons programs. But developing weapons is not the same as possessing weapons. Bush and his advisers did not argue that the US was compelled to go to war - rather than support more intrusive inspections - because Hussein had ongoing weapons programs; they claimed the US had to invade because it was imminently threatened by actual weapons.<sup>125</sup> There are no signs of these weapons, and evidence of active NBC research and development programs also remains very sketchy.

***The suggestions that Iraq may have concentrated on dual-use programs in recent years - putting chemical and biological production equipment within commercial facilities so that it would not be discovered but could be used "on demand" or "just in time" - seem plausible enough, but are hardly the imminent threat to the US, UK and the rest of the world that justified the decision to go to war.***

### **Were the missing weapons destroyed many years ago?**

Claims that Iraq destroyed all of its illicit chemical and biological weapons in the 1990s - an explanation that failed to convince the UN inspectors and British and American intelligence officials prior to the invasion - are now being given greater credence. There was very little reporting of this speculation prior to the war, however.

One exception was an exclusive report largely ignored by the rest of the US media at the time. In early March, *Newsweek* reported that the late Hussein Kamel, the highest-ranking Iraqi official ever to defect from Saddam Hussein's inner circle, told CIA and British intelligence officers and UN inspectors in the summer of 1995 that after the 1991 Gulf War, Iraq destroyed all its chemical and biological weapons stocks and the missiles to deliver them. The UN inspectors allegedly hushed up Kamel's revelations for two reasons: Saddam did not know how much Kamel had revealed; and the inspectors hoped to

bluff Saddam into disclosing still more. Iraq has never shown the documentation to support Kamel's story, but the defector's tale raises questions about whether the stockpiles attributed to Iraq still existed prior to the war.<sup>126</sup>

In fact, it is increasingly likely that Iraqi officials told the truth that they destroyed remaining unconventional weapons after the 1991 war. Iraqi Brig. Gen. Alaa Saeed, one of Iraq's most senior weapons scientists, insisted that the combined blitz of allied bombing and intense UN inspections in the 1990s effectively destroyed Hussein's chemical, biological and nuclear programs. UN sanctions, he said, stopped Baghdad from importing the raw materials, equipment and spare parts needed to secretly reconstitute the illegal programs, even after UN inspectors left the country in 1998.<sup>127</sup> And Nassir Hindawi, a leading biological weapons program scientist, said in April that Iraq's biological weapons program was shut down by economic sanctions in the 1990s.<sup>128</sup>

Hans Blix has also said that a series of suspicious discoveries during his inspections of Iraq, including a crude, remotely piloted aircraft; documents on a banned nuclear program in a scientist's home; and 12 chemical warheads at a weapons depot, were likely remnants of a destroyed stockpile. "They could have been the tip of an iceberg, but they could also have been debris," Blix said. "Now as we look back on it and they don't find anything, well, maybe more likely debris."<sup>129</sup>

The recent report by the US think tank, The Carnegie Endowment for International Peace, also found that the international inspections effort generally had it right. Their assessments, both at the end of the UNSCOM effort in 1998 and the UNMOVIC work in 2003, were quite close to what the post-war investigations have found.<sup>130</sup>

The conduct of the war also suggests that Iraq did not have useable WMD and posed no threat outside its borders. Most analysts had predicted that Saddam Hussein would use such weapons if his regime faced collapse. Either the regime displayed unusual levels of restraint during the combat phase or the non-use confirmed that he lacked the weapons or an effective delivery capability.

Hans Blix also said that he was surprised that coalition forces expected to find large quantities of WMD in Iraq when UN inspectors had made no such discovery. "What surprises me, what amazes me, is that it seems the military people were expecting to stumble on large quantities of gas, chemical weapons and biological weapons," Blix said in an interview with the *New York Times*. "I don't see how they could have come to such an attitude if they had, at any time, studied the reports of UN inspectors. Is the UN on a different planet?" Blix said. "Are reports from here totally unread south of the Hudson?" he added.<sup>131</sup>

Moreover, according to Demetrius Perricos, acting chairman of the UNMOVIC since Hans Blix's retirement, most of the weapons-related equipment and

research that has been publicly documented by the US-led inspection team in Iraq was known to the UN before the US-led invasion. The only significant new information made public by the US search team was that Iraq had paid North Korea \$10 million for medium-range missile technology, which apparently was never delivered.<sup>132</sup>

### **Was the Iraqi WMD threat overstated by Britain and the United States?**

Despite unparalleled searching, nothing has turned up and the evidence is overwhelming that Iraq did not have banned weapons at the time that the US and Britain invaded Iraq. The brutality of Saddam Hussein's regime was not an adequate justification for war, and the US and British authorities did not seriously try to make it one until long after the war began and all the false justifications began to fall apart. Clearly, therefore, the statements made by officials immediately before the war that suggested a far more advanced and extensive program need to be reassessed.

An internal CIA review led by Richard Kerr, a former CIA deputy director, found that US intelligence analysts lacked new, hard information about Saddam Hussein's NBC weapons after UN inspectors left Iraq in 1998. Therefore, they had to rely on data from the early and mid-1990s when concluding in the months leading up to the war that those programs continued into 2003.<sup>133</sup> Though the review did not say it explicitly, the findings indicate that there was no hard-and-fast intelligence that Iraq possessed ready-to-go chemical or biological weapons.

Concern about the US intelligence process has been expressed across the political divide. Marine Corp. General Anthony Zinni, the former head of US Central Command, said that he has concerns about the credibility of intelligence used. He questioned claims that ousted Iraqi president Saddam Hussein had WMD and that he was an imminent threat:

I'm suggesting that either the intelligence was so bad and flawed -- and if that's the case, then somebody's head ought to roll for that or the intelligence was exaggerated or twisted in a way to make a more convenient case to the American people.<sup>134</sup>

And Carl W. Ford Jr., who retired last fall from his position as assistant secretary of State for intelligence and research, the State Department's intelligence arm, said the US intelligence community "badly underperformed" for years in assessing Iraq's WMD and should accept responsibility for its failure. This marked the first time a senior official involved in preparing the prewar assessments on Iraq has asserted that serious intelligence errors were made.<sup>135</sup>

In fact, a very large number of US intelligence professionals, diplomats and former Pentagon officials have notably gone on record, not off the record as is usually the case, to criticise the Bush administration for its distortion of the case for war against Iraq.<sup>136</sup>

Another more benign version of why no NBC weaponry has been found in Iraq is that Hussein was deceived by his own staff. According to the theory, recently making the rounds in Britain, Saddam and his senior advisers and commanders were told by lower-ranking Iraqi officers that his forces were equipped with usable chemical and biological weapons.

The officers did not want to tell their superiors that the weapons were either destroyed or no longer usable. According to this theory, because MI6's informants were also senior officials close to Saddam, British intelligence was also hoodwinked.<sup>137</sup> Put another way, both Britain and the United States fell prey to the worst case scenario. Francis Fukuyama takes this view:

Both Unscm and U.S. intelligence were unpleasantly surprised by the extent of the Iraqi WMD programs uncovered in 1991. Thereafter, both had strong incentives not to be made fools of again. UNSCOM developed estimates of the extent of covert Iraqi research and stockpiles not accounted for, but whose existence could not be verified. The Clinton administration used the UNSCOM tallies as a baseline, and supplemented them with worst-case estimates based on intelligence it gathered. The Bush administration simply continued this process. Overestimation was passed down the line until it was taken as gospel by everyone (myself included) and used to justify the U.S. decision to go to war.<sup>138</sup>

Overall, therefore, the evidence clearly suggests that the US and UK governments did not have the intelligence to back up their pre-war claims, and that there was plenty of publicly available information on Iraq's weapons programs that was systematically ignored in the months preceding the war. Thus, the previous confidence in Iraq's possession of advanced WMD appears to have been based on a combination of US and British intelligence misjudgements and the result of distortion by members of the Bush administration and Blair governments.

However, final conclusions as to whether the primary fault lies with US and British intelligence on Iraq's WMD program, or with the part played by senior figures in the US and British administrations in interpreting and disseminating that evidence, will need to be deferred until further information becomes available. However, the case against President Bush already seems pretty clear cut, especially as former Treasury secretary Paul H. O'Neill recently confirmed that the debate over military action against Iraq began as soon as the President took office.

In the most benign interpretation - that the US and British governments merely made exaggerated worst-case estimates, the political fallout is likely to be minimal. Under this scenario, as Anthony Cordesman of the Center for Strategic and International Studies put it:

What we are really talking about is not whether Iraq was a proliferator, because the UN had basically answered that question before the war began. It is really whether the US and Britain took what was a UN estimate that Iraq had capabilities that couldn't be accounted for and translated that into a false estimate that Iraq was actively developing and producing weapons for immediate deployment.<sup>139</sup>

However, if either the Hutton inquiry report in the UK, or the US Senate Select Intelligence Committee report on use of intelligence, puts the blame firmly on the higher echelons of either political camp, then the fallout could be considerable. In the case of the US, for example, John Dean, a leading figure in the Nixon era Watergate scandal, has written:

In the three decades since Watergate, this is the first potential scandal I have seen that could make Watergate pale by comparison. [...] To put it bluntly, if Bush has taken Congress and the nation into war based on bogus information, he is cooked. Manipulation or deliberate misuse of national security intelligence data, if proven, could be 'a high crime' under the Constitution's impeachment clause. It would also be a violation of federal criminal law, including the broad federal anti-conspiracy statute, which renders it a felony 'to defraud the United States, or any agency thereof in any manner or for any purpose.'<sup>140</sup>

In reality, however, it seems likely that Hutton and other reports to come will continue to produce shades of grey, rather than a conclusive outcome that many, especially in the media, are looking for.

### **What are the implications of these intelligence and political failings and what are the policy lessons for future challenges involving suspected WMD proliferation?**

#### *Acknowledge past mistakes*

Tony Blair and George Bush must acknowledge that they were wrong about Iraq's WMD and show that they are taking sweeping action to rectify the concerns that led to this miscalculation. There are several pending foreign-policy challenges in which Britain and the US will be required to make choices based on ambiguous evidence. When an American President and a British Prime Minister confront these future challenges, the exaggerated estimates of Iraq's WMD will cast a dark shadow over the diplomatic negotiations. As Kenneth Pollack, a former CIA analyst and Clinton administration National Security Council staffer, puts it, "Fairly or not, no foreigner trusts US intelligence to get it right anymore, or trusts the Bush administration to tell the truth. The only way that we can regain the world's trust is to demonstrate that we understand our mistakes and have changed our ways."<sup>141</sup>

There must also be sufficient political space for political leaders to acknowledge their mistakes. One of the most corrupting aspects of politics in both the US and UK, is the continuing search for hidden agendas, and the lack of trust that is afforded to politicians. One can argue that, in the case of WMD in Iraq, there is

good reason to doubt the honesty of our political leaders, but the simplification of questions of integrity, especially within the media, does our democracy few favours. There will always be multiple elements within decision-making, and it is important to allow leaders some degree of flexibility.

### *Learn the right lessons*

Despite the continuing instability in Iraq and Afghanistan, both interventions are being lauded by US and British administration officials as political and military successes. The hard line stance is said to be improving the security situation in other parts of the world: North Korea is opening its nuclear facilities to US inspections; Iran has agreed to additional nuclear safeguards; and Libya has unilaterally decided to dismantle its NBC capabilities.<sup>142</sup> However, while the war in Iraq no doubt helped to concentrate minds in the Middle East and beyond, such claims are wildly overstated and mean that important lessons are lost. Libya's welcome return back into the international community lies in the patient diplomatic initiative set in motion long before President Bush began his pursuit of Saddam; in any case, the WMD program was never a serious threat. Many believe Iran's pursuit of nuclear weapons itself is determined by the fear of US military intervention, as seen in Iraq. The US strategy towards North Korea has hardly been unambiguously hawkish.

By invading Iraq, which had no WMD, the US and Britain are less able to respond to real WMD proliferation crises (including nuclear non-proliferation in Libya, Iran and North Korea, and safeguarding nuclear materials in the Former Soviet Union and Pakistan). The invasion also appears to have exacerbated the terrorist threat, reversed peace and democracy in parts of the Middle East and undermined the transatlantic alliance, the UN and international law.

### *Review the role of intelligence*

The demands on intelligence gathering and assessment are enormous and the consequences of getting it wrong can be dire. One of the issues that undoubtedly affected intelligence assessments in Iraq was the prior failure of US and British intelligence to spot the strategic ambitions of Al Qaeda, and the attack on 9/11 in particular. And even had the intelligence agencies provided advance warnings, it seems unlikely that such "intelligence" would have been sufficient to have justified pre-emption in Afghanistan. Misjudging the evidence in Iraq, therefore, the picture that was painted by the US and British intelligence agencies, especially after political pressure was brought to bear, clearly involved "worst case" thinking.

Iraq's alleged WMD program was the decisive argument in the pre-war debate, the trump card that supporters of the war used to establish the urgency of regime change. However, the failure to find any banned weapons means that it will be harder to trust intelligence reports about North Korean, Iranian or other "rogue state" threats. As *The Economist* editorialized:

George Bush and Tony Blair, it now appears, exaggerated the threat posed by Iraq's weapons of mass destruction (WMD). This is not just a negligible footnote in the history of Iraq's conquest and reconstruction—so much propaganda under the bridge. In the eyes of the world, especially the Arab world, the flimsiness of some of the claims about Mr. Hussein's arsenal has helped to make a legitimate conflict seem otherwise. It also risks making the danger posed by WMD seem more rhetorical and less real than it is, and may jeopardise future efforts to deal with that danger, especially any that involve acting pre-emptively.<sup>143</sup>

Already, in the crisis over North Korea's nuclear ambitions, China has rejected US intelligence that North Korea has a secret program to enrich uranium for use in weapons.

The mistrust of the intelligence community within the Bush administration itself, also has a potentially serious consequence: the likelihood that intelligence analysts will become less inclined to make effective judgements. For example, writing in the *Washington Post*, Stuart A. Cohen, vice chairman of the National Intelligence Council, the body that coordinates joint assessments by the various intelligence agencies, said:

"[A]nalysts laboring under a barrage of allegations will become more and more disinclined to make judgments that go beyond ironclad evidence--a scarce commodity in our business," he explained. "If this is allowed to happen, the nation will be ... ultimately much less secure." ... And, indeed, The New York Times reported that the prediction was panning out: In classified reviews, the NIC has been softening assessments of certain foreign WMD programs to reflect little beyond what hard evidence the intelligence agencies had collected.<sup>144</sup>

However, a softening of assessments may be no bad thing. Threats to our security – such as those from NBC proliferation and catastrophic forms of terrorism, as threatened by Al Qaeda – are now much more diffuse and debatable. Since most of these threats are developed in secret, there is a strong case for maintaining secret specific intelligence on them. This is not only to provide early warning, but to open up the possibilities for diplomatic and other policy responses short of military action. But it is vital that future non-proliferation and counter-proliferation strategies are based upon carefully collected and analysed open evidence rather than on prejudice or political expediency. Intelligence agencies have a duty of care to use information properly and objectively; and for administrations to treat the evidence seriously.

It must also be acknowledged that because “raw” intelligence data cannot normally be disclosed or explained in full, there will always be a requirement to turn such data into a document or information for public consumption. Thus, in one sense all intelligence assessments are doctored to some extent for public consumption. It is also self-evident that in editing and shaping raw intelligence data there will be a tendency to present the case in the best possible light for the government of the day. In the case of Iraq, the requirement to persuade clearly took precedence over the requirement to be objective. In future, therefore, public



information that draws on intelligence data should have more health warnings and should clearly set out the context for and motives behind publication.

*Bring the spooks out of the shadows*

In short, in Britain at least, the intelligence agencies need greater visibility and accountability. If the existing Intelligence and Security Committee is not up to this task, then anew small oversight committee should be established to vet the procedures of intelligence gathering and assessment, and to be responsible for publication of unclassified intelligence reports and related materials. The precedent set by holding a vote in the House of Commons before committing British troops to war is one that should be continued, but it will be important to explore new ways of sharing the raw intelligence data with a broader cross-section of MPs to ensure that such decisions are taken in an informed manner.

Politicians also need more detail in order to judge appropriate policy responses. They particularly need more context as to why something is going on. For example, there is no evidence that Saddam Hussein ever intended to initiate hostilities against the US or Britain once he acquired WMD, nor that he had any significant linkages with terrorists intent on any similar action; if anything, rogue state regimes view such weapons as a means of deterring *American* military action against *themselves*. Nonetheless, in the UK at present, almost all policy – as evidenced by the most recent Defence, Foreign and Development White Papers – assumes an established nexus between WMD proliferation, state failure and terrorism. But the evidence for this is extremely shaky, though establishing such linkages is, of course, a complex and difficult task.

Indeed, all the available evidence suggests that most “states of concern” are actually diminishing their active support for terrorism, perhaps partly in response to the threat of US military force. Only Sudan and the former Taliban regime in Afghanistan are known to have materially aided Al Qaeda. Moreover, except Sudan, these countries are refraining from attacking their neighbours as well. In terms of transferring WMD materials to non-state actors, for example, the biggest risk lies in theft or diversion of the huge stockpiles in the existing nuclear states, especially Russia and Pakistan.

*Re-examine the doctrine of preemption*

Over reliance on intelligence makes the doctrine of preemption a flawed and dangerous instrument of foreign policy. Intelligence is a matter of judgement not certainty. Thus, greater caution has to be exercised in thinking around pre-emptive warfare, and better thinking is needed about its consequences.

Moreover, if preemption became widely acceptable, it could lead to other countries fearing an assault attacking their rivals first, pre-empting the pre-emptor and escalating a conflict that might have been resolved without force. Or a nation under a sudden attack might choose to deploy chemical, biological or nuclear weapons it otherwise might not use. The very act of one country pre-emptively

attacking another carries troubling echoes of vigilante justice when much of the world is working toward common understandings about the legal use of force.<sup>145</sup>

Even such a practitioner of realpolitik as Henry Kissinger has written: "It cannot be either in the American national interest or the world's interest to develop principles that grant every nation an unfettered right of preemption against its own definition of threats to its security."<sup>146</sup> And the gravest flaw of the new doctrine could be "that by presuming the concept of self-defence now includes preemption (as broadly defined), the administration has erased any viable distinction between the offensive and defensive purposes of military action. Yet the legitimacy of using force depends crucially on a clear and agreed understanding of precisely this distinction".<sup>147</sup>

#### *Return UN Inspectors to Iraq*

Since international inspections and monitoring actually worked effectively in Iraq, this is a key lesson. Such inspections and monitoring, if applied elsewhere, can provide the international community with the ability to contain attempts to develop militarily significant NBC weapons. Within Iraq today, the return of the UN inspectors would confer some much needed legitimacy to the post-conflict search for weapons, and also help to re-engage the wider international community in the reconstruction of a post-Saddam Iraq. UNMOVIC should also be given the task of on-going monitoring in Iraq once the 'coalition' military forces have left in order to ensure that any new Iraqi government complies with its disarmament obligations.

#### *Create a permanent international cadre of inspectors*

The British and US governments should also put their weight behind establishing a broader mandate within UNMOVIC as suggested by Hans Blix. Over the years, UNMOVIC has acquired much experience in the verification and inspection of biological weapons and missiles as well as chemical weapons, but only in Iraq. It has scientific cadres that are trained and could be mobilized to provide the Security Council and other concerned actors with a capability for ad hoc inspections and monitoring, whenever this might be needed.

#### *Support multilateral and international law-based solutions to WMD proliferation*

Non-proliferation and arms control remain essential elements in the fight against the further proliferation of WMD. The non-proliferation regime has proved its worth. The regime must, however, be reinforced and adapted to current developments, both technological and political. This includes the worrying observation that it has not been possible to prevent proliferation entirely. Particularly with regard to biological and also chemical weapons, there are insufficient means of prevention and verification.

We have reached a pivotal moment in inter-state relations with a real opportunity to shape a new world order based on the rule of law. The US and UK should be working to write those rules and get them implemented. We need to move beyond unilateral intervention to a systemic improvement of multilateral

processes. Sometimes it will be necessary to take direct action, including in extreme circumstances military action, to stop the rules being broken. But such action should only be undertaken within the rules of international law, and preferably, with the authorisation of the UN Security Council.

The UN and its agencies should also be given the primary role in containing attempts to develop militarily significant NBC weapons and in verifying compliance with international non-proliferation treaties. In addition to sidelining the UN in Iraq, the Bush administration appears determined to keep UN inspectors subordinate in Iran and Libya. The IAEA, for example, is the most appropriate body to supervise the dismantling of the Libyan nuclear program.

*Think about WMD closer to home*

WMD threat reduction should begin at home. It is not just a 'rogue' state problem. Existing nuclear-armed states (including the US and UK) should reaffirm their intention to implement the 13 disarmament steps agreed to in 2000 under the Nuclear Non-Proliferation Treaty (NPT). The US has roughly 6,800 operational strategic nuclear weapons, and their destructive power is the equivalent of some 80,000 Hiroshima-sized bombs. These weapons, and the smaller numbers deployed by the UK, continue to threaten the very existence of humankind, yet fail to deter the asymmetric terror activities of non-state groups like Al Qaeda. Indeed, the continuing proliferation of nuclear weapons and related materials only increases the likelihood of a terrorist group eventually obtaining a "dirty bomb" capability or even a nuclear warhead.

The US Senate's decision in May last year to at least partially rescind a ten-year ban on funding research and development of new 'low-yield' nuclear weapons, was unnecessary and destabilising. Instead, the US government needs to renounce its goal of enhancing the US nuclear arsenal and transforming doctrine towards a nuclear war-fighting one. Similarly, US and Russian warheads that are no longer operationally deployed under the Treaty of Moscow should be eliminated under the threat reduction programme. And efforts to expand threat reduction programmes, such as the G-8 Global Partnership Against Weapons of Mass Destruction, and principles to new regions and countries, such as North Korea, the Middle East and South Asia also need to be urgently explored. The US might also apply some pressure on Israel to make a reciprocal gesture regarding its undeclared nuclear weapons following the positive action by Iran and Libya.

## Appendix 1: Lest We Forget: US Claims of Iraqi WMD Capabilities

August 23, 2002 "Simply stated, there is no doubt that Saddam Hussein has weapons of mass destruction." Vice President Dick Cheney, speech to the Veterans of Foreign Wars in Nashville, Tennessee.<sup>148</sup>

September 13, 2002 "Growing stockpiles of Iraqi weapons, toxins and delivery systems have accumulated". Sen. Joseph Lieberman on the Senate floor.<sup>149</sup>

October 7, 2002 "Iraq possesses and produces chemical and biological weapons. It is seeking nuclear weapons." President Bush in a nationally televised speech.<sup>150</sup>

January 7, 2003 "There's no doubt in my mind but that they currently have chemical and biological weapons." Donald Rumsfeld, Pentagon news briefing. Pressed by a reporter, Rumsfeld made clear that he was not basing his assertion on the fact that Iraqis had used chemical weapons in the past.<sup>151</sup>

January 9, 2003 "We know for a fact that there are weapons there." White House spokesman Ari Fleischer.<sup>152</sup>

February 8, 2003 President Bush said in his weekly radio address: "We have sources that tell us that Saddam Hussein recently authorized Iraqi field commanders to use chemical weapons -- the very weapons the dictator tells us he does not have." No such weapons were used against American troops during the fighting.<sup>153</sup>

March 16, 2003 "We believe he [Saddam] has, in fact, reconstituted nuclear weapons." Vice President Cheney on NBC's "*Meet the Press*".<sup>154</sup>

March 17, 2003 "...intelligence gathered by this and other governments leaves no doubt that the Iraq regime continues to possess and conceal some of the most lethal weapons ever devised. The regime has already used weapons of mass destruction . . . ." President Bush, speech to the nation in which he also said that Saddam had 48 hours to leave town.<sup>155</sup>

March 30, 2003 "We know where they are." Donald Rumsfeld on ABC's "*This Week With George Stephanopoulos*," referring to "weapons of mass destruction".<sup>156</sup>

According to Sen. Bill Nelson (D) of Florida, the Bush administration last year told him and 75 other senators that Iraq not only had WMD, but they had the means to deliver them to East Coast cities. Nelson said the senators were told Iraq had both biological and chemical weapons, notably anthrax, and it could deliver them to cities along the Eastern seaboard via unmanned aerial vehicles, commonly known as drones.<sup>157</sup>

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<sup>1</sup> David Isenberg, Ian Davis and Paul Ingram, *BASIC Special Briefing*, "Matters of Emphasis: The Hunt for Chemical and Biological Weapons in Iraq", BASIC, April 30, 2003.  
<http://www.iraqconflict.org/>

<sup>2</sup> The failure to find unconventional weapons is not due to lack of trying. Search procedures were put into place before the war. Three different approaches were devised. First was the designation and deployment of Task Force 20, which has been described as a covert Special Forces unit. Comprised of specialists drawn from the Army's Delta Force, elements of the task force were inserted into Iraq prior to the main invasion. Next came Site Survey Team, drawn from specially trained regular army personnel attached to mainline units earmarked for the initial invasion. Finally, the Pentagon created the 75<sup>th</sup> Exploration Task Force. It was used by the Army Central Command as a follow-up element to the main invasion force. Elements of it were later folded into the Iraq Survey Group. Source: Frank Ronald Clementon, "What Happened to Saddam's Weapons of Mass Destruction?" *Arms Control Today*, Vol. 33, No. 7, September 2003.

<sup>3</sup> Bob Drogin, "New Hunt for Iraqi Arms Resembles Old: U.S., British and Australian teams will rely heavily on military intelligence but also use many of the U.N. inspectors' techniques," *Los Angeles Times*, June 18, 2003.

<sup>4</sup> Judith Miller, "A Chronicle of Confusion in the Hunt for Hussein's Weapons," *New York Times*, July 20, 2003.

<sup>5</sup> Dafna Linzer, "U.S. Won't Probe Secret Iraqi Documents: Top Secret Iraqi Documents Are Strewn Across Missile Facility Americans Haven't Visited," *Associated Press*, June 3, 2003.

<sup>6</sup> Barton Gellman, "Odyssey of Frustration: In Search for Weapons, Army Team Finds Vacuum Cleaners," *Washington Post*, May 18, 2003.

<sup>7</sup> The failure to find unconventional weapons is not due to lack of trying. Search procedures were put into place before the war. Three different approaches were devised. First was the designation and deployment of Task Force 20, which has been described as a covert Special Forces unit. Comprised of specialists drawn from the Army's Delta Force, elements of the task force were inserted into Iraq prior to the main invasion. Next came the Site Survey Team, drawn from specially trained regular army personnel attached to mainline units earmarked for the initial invasion. Finally, the Pentagon created the 75<sup>th</sup> Exploration Task Force. It was used by the Army Central Command as a follow-up element to the main invasion force. Elements of it were later folded into the Iraq Survey Group. Sources: Frank Ronald Cleminson, "What Happened to Saddam's Weapons of Mass Destruction?" *Arms Control Today*, Vol. 33, No. 7, September 2003, [http://www.armscontrol.org/act/2003\\_09/Cleminson\\_09.asp?print](http://www.armscontrol.org/act/2003_09/Cleminson_09.asp?print). See also Special Defense Department Briefing, "Search for Iraqi Weapons of Mass Destruction," Pentagon Briefing Room, May 7, 2003, <http://www.dod.mil/transcripts/2003/tr20030507-0158.html>; DoD News Briefing on the Iraq Survey Group, May 30, 2003, <http://www.dod.mil/transcripts/2003/tr20030530-0231.html>; Barton Gellman, "Frustrated, U.S. Arms Team to Leave Iraq: Task Force Unable To Find Any Weapons," *Washington Post*, May 11, 2003; and Barton Gellman, "Covert Unit Hunted for Iraqi Arms: Amid Raids and Rescue, Task Force 20 Failed To Pinpoint Weapons," *Washington Post*, June 13, 2003.

<sup>8</sup> Douglas Jehl, "U.S. Withdraws a Team of Weapons Hunters From Iraq," *New York Times*, January 8, 2004.

<sup>9</sup> David S. Cloud, "Weapons Puzzle May Not Be Solved: Hussein Has Little Motive To Detail Arms Activities; ISG Will Continue to Hunt," *Wall Street Journal*, December 15, 2003.

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<sup>10</sup> Dafna Linzer, "Iraq Weapons Hunt Appears To Be Dying," *Philadelphia Inquirer*, December 19, 2003; and Richard W. Stevenson, "Head Of Iraqi Arms Search May Be Ready To Step Down," *New York Times*, December 19, 2003.

<sup>11</sup> William M. Arkin, "Big Fish Caught With Small Bait," *Los Angeles Times*, December 21, 2003.

<sup>12</sup> Joseph Cirincione, Jessica T. Matthews, George Perkovich, WMD in Iraq: evidence and implications, Carnegie Endowment for International Peace, January 2004, p. 8, <http://wmd.ceip.matrixgroup.net/iraq3fulltext.pdf>. See also Jim Lobe, "Iraqi WMD: Myths and ... more myths," *Asia Times*, January 10, 2004.

<sup>13</sup> The Carnegie Endowment for International Peace has compiled major statements by senior Bush Administration officials on Iraq's capabilities to manufacture and hide chemical, biological, and nuclear weapons and delivery systems. See <http://www.ceip.org/files/projects/npp/resources/iraqintell/adminquoteshtml.htm> and <http://www.ceip.org/files/pdf/IraqWMDpdf.pdf>. See also "Claims and Facts: Rhetoric, Reality and the War in Iraq," Center for American Progress, <http://www.americanprogress.org/AccountTempFiles/cf/%7bE9245FE4-9A2B-43C7-A521-5D6FF2E06E03%7d/PRIRAQCLAIMFACT1029.HTM>. For background on the publicizing of charges that Iraq possessed NBC weapons, which posed an unacceptable threat to American security, thus justifying an invasion of Iraq see Thomas Powers, "The Vanishing Case for War," *New York Review of Books*, Vol. 50, No. 19, December 4, 2003, <http://www.nybooks.com/articles/16813>; David Cortright, Alistair Millar, George A. Lopez, and Linda Gerber, *Unproven: The Controversy Over Justifying War in Iraq*, Policy Brief F12A, A Project of the Fourth Freedom Forum and Joan B. Kroc Institute for International Peace Studies at the University of Notre Dame, June 2003, <http://www.fourthfreedom.org/pdf/Unproven.pdf>; Scott Ritter, *Frontier Justice: Weapons of Mass Destruction and the Bushwhacking of America* (NY: Context Books, 2003); Sheldon Rampton & John Stauber, *Weapons of Mass Deception: The uses of Propaganda in Bush's War on Iraq* (New York: Jeremy P. Tarcher/Penguin, 2003); Milan Rai, *Regime Unchanged: Why the War on Iraq Changed Nothing*, (London: Pluto Press, 2003); Peter Riddell, *Hug Them Close: Blair, Clinton, Bush and the 'Special Relationship'* (London, Politico's Publishing, 2003; and Danny Schechter, *Embedded: Weapons of Mass Deception, How the Media Failed to Cover the War on Iraq* (Prometheus Books, Amherst, NY, 2003).

<sup>14</sup> Jean Eaglesham and James Harding, "Blair Signals Retreat On Iraq Weapons," *London Financial Times*, December 17, 2003.

<sup>15</sup> Peter Eisler and Cesar G. Soriano, "Iraq Scoured For Signs Of Banned Arms," *USA Today*, April 16, 2003, p. 5.

<sup>16</sup> Michael Isikoff and Evan Thomas, "Follow The Yellowcake Road," *Newsweek*, July 28, 2003; "Niger Documents Were Poorly Forged, Newspaper Reports," July 17, 2003, *Global Security Newswire*, [http://www.nti.org/d\\_newswire/issues/newswires/2003\\_7\\_17.html#1](http://www.nti.org/d_newswire/issues/newswires/2003_7_17.html#1); Sophie Arie, Ewen MacAskill and David Pallister, "Crude Niger forgeries surface in Italian paper," *The Guardian*, July 17, 2003; "Italy Journalist Says Gave U.S. Iraq-Niger Papers," Reuters, July 19, 2003; "Italian Says She Gave Iraq Papers To U.S.," [By Associated Press] *Los Angeles Times*, July 20, 2003; and Bill Gertz, "FBI Probing Forged Papers On Niger Uranium," *The Washington Times*, July 19, 2003, p. 1.

<sup>17</sup> Ray McGovern, "Iraq Posed An Unclear And Dubious Danger," *Miami Herald*, June 16, 2003.

<sup>18</sup> Walter Pincus, "CIA Says It Cabled Key Data To White House: But Officials Say Document Lacked Conclusion on Iraqi Uranium Deal," *Washington Post*, June 13, 2003, p. 16. See also John Diamond, "Uranium Reports Doubted Early On: CIA insists all officials were fully informed," *USA Today*, June 13, 2003, Pg. 10.

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- <sup>20</sup> Dana Priest and Dana Milbank, "President Defends Allegations On Iraq: Bush Says CIA's Doubts Followed Jan. 28 Address," *Washington Post*, July 15, 2003, p. 1.
- <sup>21</sup> Walter Pincus, "CIA Asked Britain To Drop Iraq Claim: Advice on Alleged Uranium Buy Was Refused," *Washington Post*, July 11, 2003, p. 1.
- <sup>22</sup> John Lumpkin, Associated Press/London Independent, June 13, "CIA Says It Informed White House of Intelligence Doubts," [http://www.nti.org/d\\_newswire/issues/newswires/2003\\_6\\_13.html#1](http://www.nti.org/d_newswire/issues/newswires/2003_6_13.html#1).
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- <sup>26</sup> Walter Pincus, "CIA Asked Britain To Drop Iraq Claim: Advice on Alleged Uranium Buy Was Refused," op. cit.
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- <sup>29</sup> Walter Pincus, "White House Faulted On Uranium Claim: Intelligence Warnings Disregarded, President's Advisory Board Says," *Washington Post*, December 24, 2003, p. 1.
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- <sup>31</sup> Jay Bookman, "If One War 'Fact' On Iraq Is False, What Of Others?" *Atlanta Journal-Constitution*, July 10, 2003.
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<sup>33</sup> Ibid. For an administration view on the allegations regarding the Iraqi nuclear program in the State of the Union address see “Press Briefing on Iraq WMD and SOTU Speech,” July 22, 2003 <http://www.whitehouse.gov/news/releases/2003/07/iraq/20030722-12.html>.

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<sup>35</sup> James Risen, “Bush Aides Now Say Claim on Uranium Was Accurate,” *New York Times*, July 14, 2003.

<sup>36</sup> Walter Pincus and Dana Milbank, “Bush, Rice Blame CIA for Iraq Error: Tenet Accepts Responsibility for Clearing Statement on Nuclear Aims in Jan. Speech,” *Washington Post*, July 12, 2003; Page A1.

<sup>37</sup> David E. Sanger with Judith Miller “National Security Aide Says He’s to Blame for Speech Error,” *New York Times*, July 23, 2003; Dana Milbank and Walter Pincus, “Bush Aides Disclose Warnings From CIA: Oct. Memos Raised Doubts on Iraq Bid,” *Washington Post*, July 23, 2003, p.A1; and SPECIAL WHITE HOUSE BRIEFING (AS RELEASED BY THE WHITE HOUSE) SUBJECT: IRAQ WEAPONS OF MASS DESTRUCTION AND THE STATE OF THE UNION SPEECH, BRIEFERS: DAN BARTLETT AND STEVE HADLEY, ROOSEVELT ROOM, THE WHITE HOUSE, 3:45 P.M. EDT, TUESDAY, JULY 22, 2003, <http://www.whitehouse.gov/news/releases/2003/07/iraq/20030722-12.html>.. See also Interview with Condoleezza Rice, NEWS HOUR WITH JIM LEHRER PBS TV, JULY 30, 2003.

<sup>38</sup> Ibid.

<sup>39</sup> “Questioning the Evidence,” 60 MINUTES II CBS TV, OCTOBER 15, 2003.

<sup>40</sup> David Albright, *Iraq’s Aluminum Tubes: Separating Fact from Fiction*, Institute for Science and International Security, December 5, 2003, <http://www.isis-online.org/publications/iraq/IraqAluminumTubes12-5-03.pdf>.

<sup>41</sup> Kenneth M. Pollack, “Spies, Lies, and Weapons: What Went Wrong,” *The Atlantic Monthly*, January/February 2004, <http://www.theatlantic.com/issues/2004/01/media-preview/pollack.htm>.

<sup>42</sup> Judith Miller and William J. Broad, “Some Analysts of Iraq Trailers Reject Germ Use,” *New York Times*, June 7, 2003.

<sup>43</sup> David Wise, op. cit.

<sup>44</sup> “Recovered Materials Are Evidence of Concealed WMD Programs, White House Says,” [http://www.nti.org/d\\_newswire/issues/newswires/2003\\_6\\_27.html#1](http://www.nti.org/d_newswire/issues/newswires/2003_6_27.html#1). See also Daily Press Briefing, U.S. Department of State, Richard Boucher, Spokesman, June 26, 2003.

<sup>45</sup> The DIA’s engineering teams had not concluded their work in Iraq at the time the initial report was drafted, and so their views were not taken into account at that time. See Douglas Jehl, “Iraqi Trailers Said to Make Hydrogen, Not Biological Arms,” *New York Times*, August 9, 2003.

<sup>46</sup> June 26, 2003, <http://www.levin.senate.gov/cialetter.pdf>.

<sup>47</sup> “Two Suspect Labs Could Have Produced Hydrogen,” *Los Angeles Times*, June 21, 2003.

<sup>48</sup> Peter Beaumont, Antony Barnett and Gaby Hinsliff, “Iraqi mobile labs nothing to do with germ warfare, report finds,” *The Observer*, June 15, 2003. One experienced observer, Martin Furmanski, addressed the question of why the Iraqi military should devote considerable resources to build large, mobile hydrogen generators, and why should they do this in 2002 and 2003. He found:



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The branch of military meteorology which demands large mobile hydrogen generators is the meteorological support of ballistic artillery and ballistic (unguided) missiles. Generating data to support these military operations requires very large numbers of balloon soundings, compared to generating data for general forecasting or aviation support.

For instance, general weather forecasting and civil aviation in the US is supported by balloons released from only a few dozen geographic points and only at 12-hour intervals. All of New England has only two balloon sounding sites: New York and Pennsylvania combined have only five, Texas has six and California 12.

In contrast, the meteorological data required for unguided rockets and field artillery is typically drawn from balloon soundings done on an hourly basis, and data is considered fully valid only if the balloon launch site is within 20 kms of the artillery battery or unguided rocket launch location. The large number of balloon launches required to support this activity both temporally and geographically is the reason why mobile hydrogen generators are part of military meteorological equipment. Such generators can both fill balloons directly and/or fill high-pressure cylinders to be transported to adjacent units.

A typical 2-meter diameter sounding balloon requires about 4 cubic meters of hydrogen. Not surprisingly, the AN/TMQ-42 US mobile hydrogen generator produces 150 cubic feet (4.2 cubic meters) per hour. Given that it was probably less efficient and manufactured under the difficult conditions of the UN embargo, the larger size of the Iraqi trailers is not surprising.

The detailed meteorological data is required because "dumb" projectiles such as unguided artillery shells and unguided ballistic missiles are influenced by the density, temperature and wind at all levels of the atmosphere, and these have very significant effects on where they fall. The US gathers this data to attempt to achieve a "first round on target" goal with their field artillery. While it is doubtful Iraq attempted to reach a similar state of sophistication with their conventional field artillery, similar meteorological data is needed for aiming an unguided ballistic missile if it is to hit its target (every such unguided missile is a "first round"). Iraq did have such unguided ballistic missiles. Iraq's SCUD missiles of the Iran-Iraq War and the First Gulf War were such unguided ballistic missiles. It is interesting to note that the Iraqis reportedly purchased the Marconi Military Meteorological System in c1985, at the time when SCUD missiles were being readied for use in the Iran-Iraq war. During the Iran-Iraq war the SCUD missiles were effective terror weapons against Iranian cities, and during the first Gulf War the SCUDs were perhaps the only weapon that the Iraqis successfully brought to bear against the coalition assets behind the immediate battlefield.

I would like to propose that the Iraqi "BW" trailers are indeed hydrogen generators and nothing more. The reason that they were manufactured in 2002 and 2003 was in anticipation of the impending testing/deployment of the Al-Samoud missile program. By March of 2003 Iraq had manufactured approximately 100 of these missiles. If these missiles were to be tested and/or used in battle, intensive meteorological balloon soundings would be needed. The discovery of the second trailer at the major rocketry testing installation is fully consistent with this function.

The Iraqi "BW" trailers may well be an artifact of the Iraqi development of a weapon banned by the UN (the Al-Samoud missile), but it is a weapon identified by UN inspectors prior to the US/UK invasion.

<sup>49</sup> Ibid.

<sup>50</sup> Brian Cloughley, "Knocking Down Red Herrings: Never Mind the WMDs, Just Look at History," *Counterpunch*, Weekend Edition, January 3 / 4, 2004, <http://www.counterpunch.org/cloughley01032004.html>.

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<sup>51</sup> The actual ISG report was not provided to UNMOVIC or to the IAEA. Without it UNMOVIC said that it was not in a position to properly assess Kay's findings. See UNMOVIC 15<sup>th</sup> quarterly report, S/2003/1135, 26 November 2003, [http://www.un.org/Depts/unmovic/new/documents/quarterly\\_reports/s-2003-1135.pdf](http://www.un.org/Depts/unmovic/new/documents/quarterly_reports/s-2003-1135.pdf).

<sup>52</sup> Mike Nartker, "Iraq Survey Group Has Not Shared Information With U.N. Inspectors, U.N. Says," *Global Security Newswire*, December 4, 2003, [http://www.nti.org/d\\_newswire/issues/2003\\_12\\_4.html#732FDA19](http://www.nti.org/d_newswire/issues/2003_12_4.html#732FDA19).

<sup>53</sup> "Friends Like These...: Paul Bremer slips up and exposes Tony Blair's penchant for 'sexing up' intelligence," *Mother Jones*, November/December 2003, [http://www.motherjones.com/cgi-bin/print\\_article.pl?url=http://www.motherjones.com/news/dailymojo/2003/12/12\\_533.html](http://www.motherjones.com/cgi-bin/print_article.pl?url=http://www.motherjones.com/news/dailymojo/2003/12/12_533.html). See also "Bremer 'rejects' Blair WMD claims," *BBC*, December 28, 2003; Raymond Whitaker "Blair's WMD claim dismissed by America's Baghdad chief," *Independent*, 28 December 2003; Sarah Hall, Richard Norton-Taylor and Luke Harding, "Blair WMD claim a 'red herring', says Bremer: America's top man in Iraq pours scorn on PM's allegation," *The Guardian*, December 29, 2003; Toby Helm, "Bremer Rejects Blair's 'Secret Labs' Claim," *London Daily Telegraph*, December 29, 2003, p. 1; and Scott Ritter, "The search for Iraqi WMD has become a public joke. But I, for one, am not laughing Hutton stopped far short of a real investigation into the Blair government's abysmal abuse of power," *The Independent*, 4 January 2004.

<sup>54</sup> For example, according to Dr. David Franz, a former chief U.N. biological weapons inspector who is considered among America's foremost experts on biowarfare agents, there is no evidence that Iraq or anyone else has ever succeeded in using botulinum B for biowarfare.

<sup>55</sup> Bob Drogin, "Experts Downplay Bioagent: The vial of bacteria found in Iraq probably was bought legally and its type has never been turned into a weapon, scientists say," *Los Angeles Times*, October 17, 2003, p.1.

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